BROWN COMMERCIAL BUILDING

PH: (02)4966 0218
ABN: 14 619 195 078
P.O. Box 596 East Maitland NSW 2323

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STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Residential Flat Building

6-8 Grant Street, Maitland
Lot 3 and 4, DP38006

Applicant: Brown Commercial Building

CONTENTS

1 INTRODUCTION 4
1.1 Pre-DA Consultation 5
2 SITE and context 15
2.1 Site Details 15
2.2 Surrounding Development 17
2.3 Previous Applications 18
3 PROPOSED DEVELOPMENT 18
3.1 Residential Flat Building 18
3.2 Units Characteristics 19
4 Environmental Planning instruments and controls 20
4.1 Environmental Planning and Assessment Act 1979 20
4.2 State Environmental Planning Policies (SEPP) 20
4.2.1 State Environmental Planning Policy (Resilience and Hazards) 2021 20
4. 2.2 State Environmental Planning Policy Transport and Infrastructure 2021 21
4.2.3 State Environmental Planning Policy 65 - Design Quality of Residential
Apartment Development 21
Apartment Design Guide 27
4.2.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 61
5. Maitland Local Environmental Plan (LEP) 2011 62
6. Maitland Development Control Plan (DCP) 2011 65
7. Assessment of Planning Issues 89
Traffic, Access and Parking 89
Building Access 89
Visual Impact 90
Flooding 90
Landscaping 91
Acoustic Impact 91
Odour 92
Lighting 92
Crime Risk 92
Waste Management 92
Construction Waste 92
Operational Waste 93

Social and Economic Impacts **93**
Public Interest **93**
8. Conclusion **94**
Appendix A – Architectural Plans **95**
Appendix B – Stormwater Plans **95**
Appendix C – Landscaping Plans **95**
Appendix D – Statement of Heritage Impact **95**
Appendix E – Access Report **95**
Appendix F- Arborist Report **95**
Appendix G- Acoustic Report **95**
Appendix H- Prelim Site Investigation **95**
Appendix I- Hunter Water Plan Stamping **95**
Appendix J- Cost Estimate Report **95**
Appendix K- Owners Consent **95**
Appendix L- Waste Management Plan **95**
Appendix M- BASIX CERTIFICATE AND NATHERS SUMMARY **95**
Appendix N- Flood Impact Assessment **95**
Appendix O- Traffic Report **95**
Appendix P- Design Certification **95**
Appendix Q- Site Survey **95**
Appendix R- CPTED report **95**

FIGURES

Figure 1 – Site Location 15

Figure 2 – Site Cadastre 16

Figure 3 – Zoning Map Extract (Source: ePlanning Spatial Viewer) 62

1 INTRODUCTION

This Statement of Environmental Effects (SEE) is submitted to Maitland Council (Council) in support of a Development Application (DA) at 8 Grant St, Maitland (the site) for a 15 Unit Residential Flat building and associated works.

This SEE has been prepared to demonstrate environmental, social and economic matters associated with the proposal as outlined in this report. This statement examines how the proposal fits the location and the planning merits of the development in accordance with statewide planning instruments, Maitland Local Environmental Plan (LEP) 2011 and Maitland Development Control Plan (DCP) 2011.

This SEE provides the supporting documentation for the DA to seek consent for the works.

The objectives of this SEE are the following:

- To provide a description of the subject site and the surrounding locality;
- To provide details of the proposal;
- To provide discussion of the relevant environmental planning instruments and controls; and
- To provide an assessment of the potential environmental, social and economic impacts of the proposed development.

1.1 Pre-DA Consultation

A meeting was held with Council staff, concerns are addressed as per the below:

Item	Council Comment	Application Response
Planning Advice	The development site is zoned MU1 pursuant to the MLEP 2011. The proposed development is defined as a Residential Flat Building which is permissible with consent in the MU1 zone.	Noted.
	The site is also mapped as being within a Heritage Conservation Area and is a Flood Planning lot. The site has one street frontage, has dwellings adjoining to the north-west, south-west, a community group hall to the east and its carpark to the south-east, and is in the vicinity of heritage items.	Noted. A flood impact assessment and Statement of Heritage Impacts accompanies this application.
	Any multi storey medium density development at the site needs to resolve a number of constraints including context and existing built form, heritage conservation, flooding, access and servicing. Where resolution might be achieved for one issue, it may generate greater impacts in another area, i.e. increased floor height to resolve flooding issues may compromise building height controls and have impacts on the heritage conservation.	Noted. This has been addressed in the application provided.
	Access and servicing of the development, noting the road frontage and local road network, may limit the scale and density of the proposal.	Noted. This has been addressed in the Traffic report provided.
	A detailed statement of environmental effects (SoEE) is required that fully addresses the likely environmental impacts of the development (including impacts on both the natural and built environments), the social and economic impacts in the locality, and how the environmental impacts of the development have been identified. The SoEE should demonstrate how identified impacts will be mitigated. A detailed discussion is required, but not limited to the applicable: Heritage requirements in the Development Control Plan 2011, 88b	Noted. This Statement of Environmental effects outlines these issues below.

	instrument, Flooding, Stormwater, Waste Management, etc. The SoEE must also address site suitability and demonstrate that in designing the proposal you have fully considered and responded to the applicable site constraints legislative provisions. Any departures from Council's policies and DCP should be justified with appropriate reasons for justification.	
	Cut and fill should minimise land shaping outside of the building footprint and ensure that the amount of cut and fill does not concentrate surface flows onto adjoining properties or impact the riparian area. The plan should indicate the total amount of cut and fill across the entire site with inclusion of existing levels of the land for such works, including the construction of building and those areas of the site external to the building. The provision of longitudinal section plans for retaining in relation to their relationship with boundaries and/or fencing is also required. Any departures from Council's DCP should be fully justified, in particular, where retaining is not offset from boundaries and should provide arguments given potential issues with construction of walls and sub soil drainage etc.	An earthworks plan has been provided by Eclipse Consulting Engineers. 152.435m3 of fill is required. N/A
	Building heights must comply with Table 4 in Section 8 of C.8 of the DCP. For a Residential Flat Building, a maximum of 11m is permitted. The development has an approximate height of 14.6 to 15.6 metres. Any proposal seeking to vary the height control requires supporting arguments for Council's consideration. Note, Council cannot consider height variations due to flooding without undertaking a merit assessment of the site and locality.	The building height for a residential flat building in a business zone is 14m, as per table 4 in Section 8 of C.8 of the DCP. The lot is zoned MU1 meaning the 11m height restriction noted, is not relevant. The development is 14m in height.
	Parking is to comply with Appendix A of Section C10 of the DCP. For 15 units, consisting of 3 x 1 bedroom units and 12 x 2 bedroom units, a total of 19 parking spaces. Should the development be lodged as an	19 Car parks have been provided.

	Affordable Housing development then calculations under the SEPP (Housing) 2021.	
	A CPTED assessment is required for the proposed Residential Flat Building.	A CPTED report has been provided as a part of this application.
	An arborist report is required to address the mature vegetation located on the adjoining site boundary to the north-west and the south-east.	An Arborist report accompanies this application.
	Services need to be considered, including provision of kiosks /substations and drainage. Such requirements may impact on the landscaped setbacks, streetscape and overall aesthetics.	The servicing of the development site has been incorporated into the design of the residential flat building and has not had any negative impact on the street frontage or overall aesthetics of the site, demonstrated in the plans provided. A Kisok is not required to service the residential flat building.
	It is noted an existing consent applies to the site and over the adjoining land to the west.	Noted. If this application is to be approved, the existing consent will be surrendered.
SEPP 65 – Apartment Design Guide	Registered Architect	Becerra Architects have undertaken the Architectural plans that accompany this application.
	A detailed assessment under the Apartment Design Guide is required to accompany any application, including the Design Quality Principles and a compliance checklist. In this regard, the following matters are identified:	A Detailed assessment of the Apartment Design Guide has been noted below, as well as by the compliance

	(1) Context and neighbourhood character – a streetscape analysis is required to consider the existing built form of the locality, and a heritage impact statement to consider the Central Maitland Heritage Conservation Area (2) Built form & scale – the bulk and scale needs to have regard to required setbacks, context and constraints (3) Density – density can only be determined having regard to the site constraints, context and heritage conservation, setbacks, etc (4) Sustainability – provision of internal and external solar access (shadow diagrams) to be demonstrated, consideration of cross flow ventilation, screening from western sun, etc (5) Landscape – deep soil planting (7% of site area), protection/retention of adjoining vegetation (6) Amenity – the design requires an access audit, acoustic assessment, review of natural ventilation, orientation/outlook, provision of communal open space/meeting areas (7) Safety – a CPTED assessment is required, with particular considerations for the undercroft/basement carpark and access to the internal foyer/lift. (8) Housing diversity and social interaction – market information is required to demonstrate the unit diversity is suitable. (9) Aesthetics – consideration of the design is inappropriate at this time due to a streetscape and heritage analysis as required under context (1) and compliance with setbacks, and other design requirements under the ADG.	checklist provided by Beccera Architects.
	An application for a Residential Flat Building under SEPP 65 may be subject to a peer review assessment by an Urban Design Panel (Port Stephens Council Design Review panel). Fees for the process are	Noted.

	contained in Council's Fees & Charges 2023-2024.	
	New developments in this area must address flooding and the heritage as part of resolving the bulk and scale. Whilst large built forms exist in the locality through the MAC building, Catholic School, Basketball stadium, the locality also retains smaller detached forms in single dwelling houses. Comments on the external appearance and the relationship with the streetscape are reserved until the HIS and flooding have resolved the design constraints/parameters, and compliance with the ADG. It is also noted the Urban Design Panel has the primary purpose of considering aesthetics and urban design as part of its remit under SEPP 65. Having said the above, it is considered the current design does not meet the ADG with regard to setbacks, and noting the site area and dimensions, may have too much density which is evident with the bulk and scale relative to site setbacks and landscaping and the streetscape context. It is considered consolidation with the adjoining site may make the development more compliant and enable a built form to sit comfortably in the streetscape and soften the transition in height.	A Statement of Heritage Impact accompanies this application, as does a Flood Impact assessment. This is addressed as a part of the assessment of the ADG.
	The roof form is noted as fitting the single dwelling-built forms albeit with a reduced angle/pitch. Alternative roof forms can be considered; however, these may present other design issues such as increased height and context.	A low-pitched hipped roof has been proposed.
Flooding	The site is identified as a Flood Planning Area under clause 5.21 of the MLEP2011. A Flood Impact Assessment should be prepared by a suitably qualified consultant, addressing the impact of the proposal on flood behaviour, the environment, flood affection and risk to life and property associated with the proposed development. The following flood information is provided.	A flood impact assessment has been provided by Eclipse Consulting Engineers.

	a. The site has a low point at approximately 5.78m and a high point of approximately 6.41m. b. 1 in 100 year flood level is 9.73m AHD. c. A flood planning level of 10.23m AHD is required for habitable rooms (Level 1 has a floor level of 9.56m). d. Peak flood velocity on the two sites is mapped at less than 0.5m/s for the 1% AEP flood event. e. Categorized as flood storage / flood fringe being at the edge of the floodway – the design is to facilitate flooding and withstand the impacts of inundation. Engineer certification required at DA or after DA (via condition) for this and any loading/impact. f. An evacuation procedure to be outlined in SEE. Condition of consent will require that an evacuation procedure is prepared for residents and placed within the properties.	
	Compliance with controls 2.3 General Building Requirements, 2.4 Multi-Storey Residential Development and 2.5 Basement Car Parking under Part B of the DCP is required. This includes the provision that potential water entry points are at or above the 1 in 100 year flood level (9.73m). The design will need to consider the definition of a 'basement', as defined in the MLEP2011: basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).	This is addressed below.
Heritage	The site is located within the Central Maitland HCA, a Heritage Impact Statement (HIS) should be prepared by a suitably qualified heritage consultant to inform the design of the development. Additionally, Chapter C.4 Heritage Conservation and E.3.2 Central Mailand Heritage Conservation Area of the Maitland Development Control Plan 2014 (DCP)	A Statement of Heritage Impact has been provided as a part of this application. Additionally relevant Chapters of the Maitland DCP have also been addressed within the Statement of

	apply. These chapters should be addressed in the HIS and Statement of Environmental Effects, particularly 1.3 within E.3.2 which states 'What to Keep', 'What to Encourage' and 'What to Avoid' for the Central Maitland HCA.	Environmental Effects below.
	The development proposes the demolition of the existing buildings, noting no. 6-8 Grant Street contains a 1950s style dwelling and landscaped yard. An assessment of heritage significance of the site with regard to potential archaeology (desktop study of the site history), and consideration of the adjoining dwellings and heritage buildings in the vicinity is required.	A Statement of Heritage Impact Statement accompanies this application and demonstrates the following, 'There are no contribution maps in relation to the Heritage Conservation Area's building stock. The subject building would be considered a low contributory or neutral item considering its integrity and form presenting to Grant Street. Buildings in Fry Street have a visual relationship in form and character, whereas Grant Street has been depleted of housing stock.'
	Concerns are raised with the proposal in terms of context, height/bulk and scale, articulation, external appearance, materiality, and setbacks. The HIS and proposed design need to specifically consider the character of the Central Maitland Heritage Conservation Area, the streetscape character and built form in Grant Street, and provide guidance as to the height, bulk and scale, and the external appearance.	The Statement of Heritage Impact notes the following, 'The building is well articulated in its plan form and elevations and responds in its height and mass to the buildings that define the perimeter of the immediate area. The roof is a low-pitched hipped roof which is of low visual impact when viewed from the surrounding areas and sits with the 14-metre height limit.'

Drainage and Stormwater	Surface drainage - the site is predominantly below the surrounding road reserves so cross boundary flows of surface water must be considered. The proposal is to keep filling and the building envelope setback from the side and rear boundaries OR also keep any paths and access points at the current natural surface level to allow surface flows to move around buildings and structures. Filling within the building footprint is acceptable.	This has been complied with in the cut and fill plan provided by Eclipse Consulting Engineers.
	The stormwater plan and report shall consider the drainage of the site and the surrounding lots and demonstrate how the surface flows and discharge points are managed and not impacted on.	A Concept Stormwater Plan accompanies this application and demonstrates the surface flow and discharge management.
	Onsite detention – is required for the local catchment due to those depressed lot levels previously mentioned. Capture, detention of, and discharge of roof water shall be to the kerb. Use of a suspended onsite detention of stormwater (OSD) tank is possible to achieve gravity flows to the kerb.	This has been addressed in the stormwater plans provided.
	On-site detention of stormwater (OSD) is required in accordance with Council's Manual of Engineering Standards, to restrict the discharge rate of stormwater runoff. OSD may be provided as an above -ground tank in addition to BASIX Capacity.	On Site Detention is outlined as a part of the concept stormwater plans provided as a part of this application.
Access and Traffic	Traffic safety and capacity will need to be considered in relation to the development/ intensification of the land use and demonstrate suitable swept path access including emergency and service vehicles.	A traffic report accompanies this application, in addition to swept paths of a service vehicle demonstrated on the architectural plans.
	The road reserve is substandard to current road and footpath widths for greenfield subdivisions. A traffic report shall consider these factors and provide comment on	A traffic report accompanies this application and demonstrates the required information.

	vehicle travel, on-street parking and pedestrian issues.	
	There are concerns with parking and the availability of on-street parking in the immediate vicinity of the site, which will need to be considered in terms of the kerb and gutter frontage, access driveway and provision of compliant parking by the development.	The access driveway has been minimised to allow for further street parking, as well as the maximising the car parks provided on site.
	Driveway Sight triangles are to be provided at the property boundary line in accordance with AS2980.1 to the frontage road traffic and pedestrians. Sight triangle of 2m wide x 2.5m inside the property clear of obstructions shall be provided at both sides of the driveway.	The driveway is located in a position that allows sight triangles.
	Provision for service vehicles within the site (designated parking and area) shall be provided from the suitable location/street.	Provisions for service vehicles have not been provided within the site. The development is proposing kerb side collection of waste and therefore a service vehicle is not required to be provided.
	Traffic Impact Assessment will be required which shall include the following: • Car parking and required servicing requirements. • Existing and proposed traffic, traffic operating conditions, and flows. • Traffic generation. • The existing and proposed operation of nearby intersections. • Address any intersection treatment requirements having regard to safety, traffic capacity, flow, sight distances, and lighting. • Impacts on the surrounding road network and the locality.	A Traffic Impact Assessment accompanies this application and demonstrates the following,

	• Public transport. • Pedestrian connection and movement. • Any improvement works.	
Contributions	The proposed development is subject to Section 7.11 developer contributions under Council's Maitland City Wide Contributions Plan 2016.	Noted.
Building Advice	Ensure the building meets accessibility and fire safety standards under both the BCA, Australian Standards and Guidelines and the requirements of Maitland DCP 2011 (where applicable).	Noted.
	An access Audit is required as per C1.1 of Part C of the DCP.	An Access report accompanies this application.
Environmental Health Advice	A preliminary site investigation report is required to assess potential contamination of the site. Please have regard to the documentation lodged under DA/2018/1510.	A PSI accompanies this application.
	Acoustic impacts of road noise on the development, as well noise generated by the development itself from vehicle movements and any plant and equipment on external residences, must be fully addressed as part of any development application.	An acoustic report accompanies this application.
External Referrals	The application may be referred to the following external agencies for comment: • State Emergency Service (flood evacuation) • Ausgrid (if within 5m of overhead powerlines and/or considerations with regard to the network)	Noted.

2 SITE AND CONTEXT

2.1 Site Details

The site is identified as Lot 3 and 4 of DP 38006 – 6- 8 Grant Street, Maitland. Currently the site comprises of a Single storey weather board dwelling, and garage. There are 5 trees within the site, and 4 that overarch the site from the neighbouring properties. The site is in Central Maitland and is located on the Southwestern side of the Grant Street. The site slopes from the front to the rear, with the levels ranging from 6.46m- 5.73m AHD.

Figure 1 – Locality of subject site (source Six Maps 2024)

Figure 2: Location of the subject land (Source: Near maps)

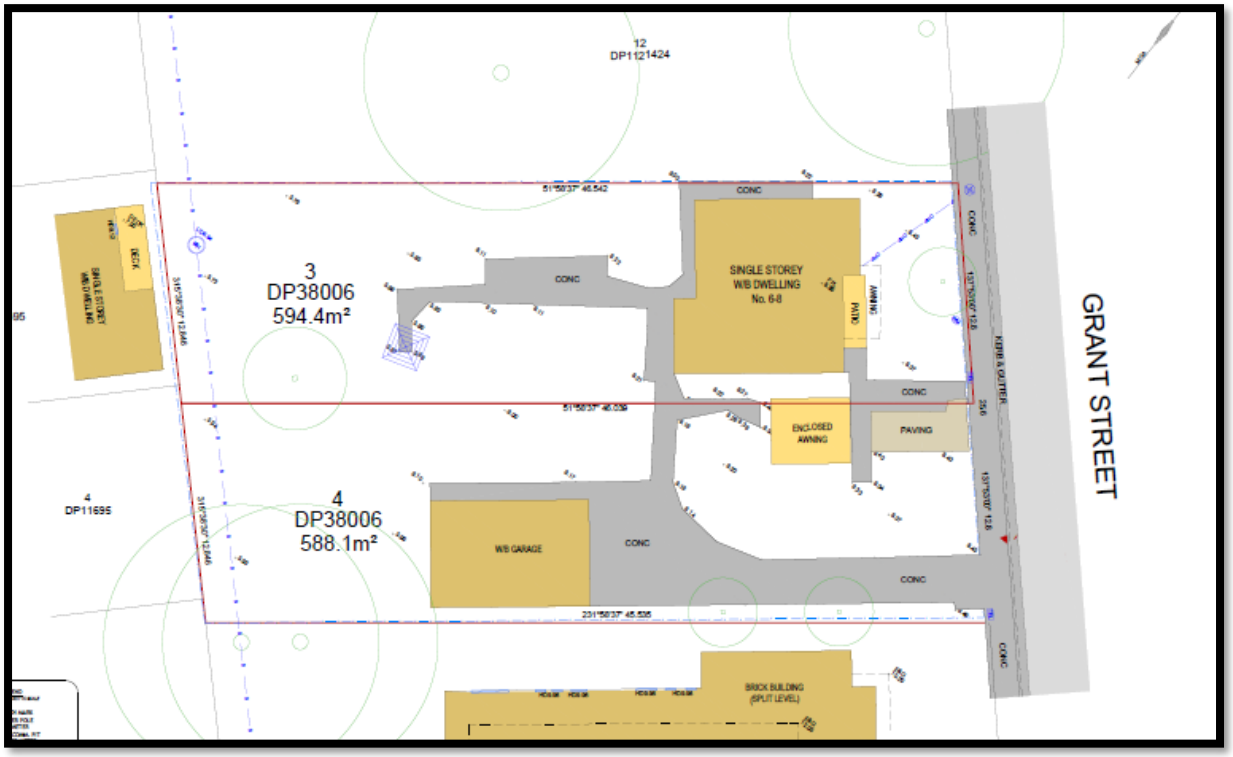

Figure 3- Survey extract

2.2 Surrounding Development

The site is located within the established mixed-use area and is surrounded by a range of single dwellings and prominent Buildings of Maitland including Maitland Town Hall, Maitland Regional Art Gallery, and numerous cafes and restaurants. St Mary's is located at the end of Grant St. The subject land is within easy access to the centre of Maitland, with bus stops and Maitland train station in close proximity.

2.3 Previous Applications

There is currently an active DA for 8,10-12 Grant St. DA/2018/1510

It is for the demolition of dwelling and outbuildings, removal of 3 trees, erection of two- storey mixed use building including residential flat building (9 units) and a centre-based childcare facility (96 Spaces).

This was approved on the 6th of Feb 2019.

If this proposal is approved, DA/2018/1510 will be surrendered.

3 PROPOSED DEVELOPMENT

This application seeks approval for the construction and use of a residential Flat Building.

3.1 Residential Flat Building

The proposed development is inclusive of the following works,

- Residential Flat Building comprising 15 units, being 3 x 1 bedroom, 12 x 2 bedroom.
- 1 level of car parking, with access via a single vehicular access point off Grant Street.
- 3 levels of residential above car parking.
- Visitor car parking located on the Ground Level, which is accessed immediately off the vehicular entry and adjacent to lift and stairs.
- Ground Level area contains service areas, car parking for 19 spaces (including 2 accessible spaces), 17 bike spaces.
- Pedestrian entry to the site from Grant St at a centralized main entry point into Ground Level
- Each unit is provided with ample area of private open space.
- Communal open space, located at the rear of the site.
- Removal of all vegetation, with no significant vegetation identified on the site currently.
- Landscaping, as detailed on the concept landscape plans.
- Consolidation of allotments into one.
- Removal of 5 trees.

The proposed development responds to the need for housing in NSW, the units contain a variety of 1 and 2 bedrooms, open plan living, dining and kitchen and ground level car parking below. The proposed materials have been selectively chosen to provide compatibility of the building within the heritage area and is detailed on the Architectural Plans.

3.2 Units Characteristics

Unit	Level	Bedrooms	Area	POS	Storage
1	1	2	82m2	12m2	8m3
2	1	2	82m2	12m2	7m3
3	1	1	50m2	8m2	6m3
4	1	2	82m2	12m2	8m3
5	1	2	80m2	12m2	16m3
6	2	2	82m2	12m2	8m3
7	2	2	82m2	12m2	7m3
8	2	1	50m2	8m2	6m3
9	2	2	82m2	12m2	8m3
10	2	2	80m2	12m2	16m3
11	3	2	82m2	12m2	8m3
12	3	2	82m2	12m2	7m3
13	3	1	50m2	8m2	6m3
14	3	2	82m2	12m2	8m3
15	3	2	80m2	12m2	16m3

4 ENVIRONMENTAL PLANNING INSTRUMENTS AND CONTROLS

4.1 Environmental Planning and Assessment Act 1979

The proposal is subject to the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Section 4.15(1) of the EP&A Act, 1979 provides criteria which a consent authority is to take into consideration, when considering a DA. An assessment of the subject DA, in accordance with the relevant matters prescribed under Section 4.15(1), is provided within this report.

The proposed development does not trigger Integrated Development pursuant to Section 4.46 of the EP&A Act.

4.2 State Environmental Planning Policies (SEPP)

4.2.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of Land

Clause 4.6(1) of the SEPP states:

(1) A consent authority must not consent to the carrying out of any development on land unless:
(a) it has considered whether the land is contaminated, and
(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

The site has historically been used for residential purposes and is currently still used as such. It is therefore determined that there is a low risk of contamination at the site and the site is suitable for the proposed residential flat building. This is outlined in the Primary Site Investigation provided to accompany this application.

4. 2.2 State Environmental Planning Policy Transport and Infrastructure 2021

The application has been assessed against the requirements of State Environmental Planning Policy Transport and Infrastructure. This Policy contains State-wide planning controls for developments adjoining rail corridors and busy roads. The development is not located immediately adjacent to a classified road or within 40 metres of a Railway corridor. The development is not classified as a Traffic Generating Development in accordance with Schedule 3 of SEPP.

The traffic generation of the proposed Residential Flat Building is unlikely to create adverse impacts, as detailed in the accompanying Traffic Impact Assessment, nor are any issues associated with noise or vibration envisaged.

4.2.3 State Environmental Planning Policy 65 - Design Quality of Residential Apartment Development

State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development (SEPP 65) (and associated Apartment Design Guide) will apply as the proposal is a residential flat building. SEPP 65 aims to improve the design quality of residential flat development. SEPP 65 does not contain numerical standards but refers to the Apartment Design Guide (ADG). The Guide provides additional detail and guidance for applying the design quality principles outlined in SEPP 65.

Under the provisions of SEPP 65 – Design Quality of Residential Flat Development (SEPP 65), the proposal is defined as a Residential Flat Building as it comprises of a building of 3 or more storeys that includes 4 or more self-contained dwellings.

Accompanying this application is a Design Verification from the Architect which goes into further detail regarding the building design being in accordance with the Principles of SEPP 65 and ADG. The Design Verification has been prepared in accordance with the Environmental Planning and Assessment Regulation (2000), Division 1, Clauses 50 (1A), (1AB) and 1(B). This SEE should be read in conjunction with the Design Verification from the Architect.

The Principles of SEPP 65 are briefly addressed below and include reference to Design Verification from the Architect:

Principle 1: Context & Neighbourhood Character

Becerra Architects have noted the following,

'The site is zoned MU1 were Residential Flat Building which is permissible with consent.

The proposal is suited to the site as this precinct in that that is within 100 meter of High Street Maitland which is not only the main street of Maitland Town centre. The site is also 100 meters from the new Maitland Council Chambers and Administrative Building; 200 meters from Maitland Regional Art Gallery/ Library. There are 3 churches of various denominations with 400 meters of the site as well as All Saints College St. Peters Catholic High School.

As far as recreational facilities the site is approximately 3900 meters from Maitland Regional Sports Ground (Smyth Field). The Maitland Post Office is 700 meters from the site. The site is 700 meters from the Maitland Railway Station and 100 mm from the bus route on High Street. The site is in the town centre and have many facilities for recreation, entertainment, shopping and schooling.'

The character of the neighbourhood provides an ideal site for a residential flat building, with close proximity to the main street, numerous facilities and recreational options. Contextually, the residential building will provide much needed housing to the area, creating more options to the residents of Maitland.

Principle 2: Built Form and Scale

Becerra Architects have noted the following,

'The proposal is near the new Maitland Council Chambers and Administrative Building and draws form the massing of this building. It has masonry walls with a flat metal roof.

The form is rectilinear with the central part protruding to the side boundaries. The protrusions of the floor plates ae identified in a different colour brick. Openings are vertical and offset not only to comply with building codes but to create irregular shapes in the regular brick wall. The balconies are identified by the balustrade projecting 350 mm past the masonry walls the floor of the balcony within the external walls.

The carparking area is screened by brick work for the majority of the carpark area and has hit-miss brick pattern to create natural ventilation to the carpark and identify the different use of the space.

The scale is comparable to the future of the precinct. There is no height limit in the Maitland Local Environmental Plan (Maitland LEP), however there is a 14-meter height limit in the Maitland Development Control Plan (DCP) 2011 of 14 meters and the proposal meets this.'

It can be argued that the proposed development provides much needed relief to the current housing crisis that is affecting NSW, and specifically Maitland Council Area. It is noted in the Pre DA minutes that 'It is considered consolidation with the adjoining site may make the

development more compliant and enable a built form to sit comfortably in the streetscape and soften the transition in height.' The development suits the recently approved surrounding developments scale and bulk, and comfortably fits within the height limit, justifying the development location and overall appearance.

Principle 3: Density

Becerra Architects have noted the following,

'*The site is zoned MU1 were Residential Flat Building which is permissible with consent.*

The site is in the Maitland Town Centre and a residential flat building as proposed will not only provide housing near the facilities of the town centre but also create passive security and activity much needed in the Maitland Town Centre.

There are more than adequate transport facilities near the proposal with Maitland Railway Station being 700 meters form the site and 100 mm from the bus route on High Street.

This is an appropriate dwelling mix for the precinct. As the proposal would attract young families as well and having affordable housing for workers in the Town Centre.'

The Explanation of Intended Effect: Changes to Create low and mid-rise housing, that was released in December 2023, talks of reforms promoting medium density housing in well located areas, close to existing public transport connections, amenities and employment. This site provides a perfect example, as the area has capacity to accommodate growth that capitalises on current and future investment in public infrastructure.

Principle 4: Sustainability

Becerra Architects have noted the following,

'The approved design meets natural ventilation guidelines, with most of the residential units having balconies or windows towards both northern-east and southern aspects.

More than 70 % of the units will get 2 hours of solar access to the living areas and all living areas have direct balcony access.

All sanitary fixtures are to be fitted with water saving devices and all lighting is to be fitted with Compact fluorescent lamps (CFLs). There is the provision of Rain Water Tanks (RWT) on site to maintain the landscape areas.

Further the entry and common area are also well lit and ventilated.'

Passive solar design principles have been incorporated through a high level of solar access and natural ventilation of units as well as effective thermal massing. The design responds to environmental concerns by focusing on natural ventilation, and light and incorporates recessed balconies.

Principle 5: Landscape

Becerra Architects notes the following,

The proposal landscape area is 386 square meters, which is 33% of the site area. The deep root planting area is 371 square meters, which is 31% of the site area. This is more than the minimum required under the ADG.

The landscape area accommodates communal open spaces with seating and shades spaces.

There are designated pathways to the main entry of the building and pathways to common open spaces all clear of the planted areas. The selection of plants and trees are native to the area.

Principle 6: Amenity

Becerra Architects have noted the following

'The proposal meets the minimum internal floor areas for the units under ADG. Further the room sizes meet and, in most cases, exceed the minimum dimensions set in the ADG.

The prescribed ADG storage provisions are all within the units, this is due to the car parking area being subject to flooding.

The common open space areas are behind the building line and provide secure areas for recreation within the site. The garbage facilities are within the building on the ground floor with building manager putting garbage bins for kerb side collection.'

Main living spaces in each of the proposed units are open plan and located directly adjacent to their main private open space. This is intended to promote an extension of the living space. The balconies are functional and promote indoor/outdoor living. The proposal provides a high level of amenity for all of the units including layout, natural ventilation, solar access and private open space. Room sizes are generous throughout as are ceiling heights, maximising fresh air and light and a mix of units is proposed.

Storage for each apartment has been provided within each apartment, as well as Lift access will be provided to each unit, linking every floor with the street level.

Principle 7: Safety

Becerra Architects have noted the following,

'The units facing Grant Street provide passive surveillance to create a safe environment for the residents. Access to the development is off Grant Street with a covered walkway leading from the street to the main entry lobby. This will be well lit and will have security cameras. Vehicular access to car parking will be off Grant Street and will have a security gate The carpark will also be secure by the front walls of the development at the building line built to the side boundaries.

All residents of the development will have keys or swipe cards to allow access to parking area on the ground floor as well as dedicated keys or swipe cards to the unit.

Surveillance cameras located strategically through the development for the security of the occupants.'

The proposed units are oriented to allow windows for passive surveillance of the communal open spaces and the main entrance. All entrances are highly visible, are in highly trafficked areas and have good sight lines across the site. Safety and security measures incorporate unobscured public domain spaces, the ground floor level is wide and brightly lit, and all landscaped spaces within the site will be well lit and designed to maximise personal security. There are no entrapment zones identified within the development.

Principle 8: Housing Diversity and Social Interaction

Becerra Architects have noted the following,

'The proposal is a mix of 1 and 2 bedroom apartments which is appropriate foe the location of the development being in the Town Centre of Maitland.

Accessible units have been provided as well as adequate Accessible carparking spaces.

The residents will have separate open spaces at the rear and side boundaries to have well lit as well as shaded outdoor recreation spaces.'

The proposal is considered to offer a well-balanced mix of accommodation, which translates to a desirable outcome in housing diversity. The proposed mix of household types responds to the convenience and accessibility to the evolving mixture of the local area, to meet the demands of many different occupants across the multiple levels of prices.

Principle 9: Aesthetics

Becerra Architects have noted the following,

Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.

The visual appearance of a well-designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.

The design principles of good proportions and a balanced composition have been achieved in the proposal. The massing meets the scale and form of buildings in the precinct such as the new Maitland Council Administration building. The two colours of brick relate to the forms of the proposal. Openings relate to the function of the rooms and the balconies are within the mass but have openings related to the function of outdoor living.

The residential development will form part of the expanding residential stock in the Maitland town Centre and is scales to respect the general building heights of the buildings to the north if the site along High Street. Elements of this composition of materials are replicated in buildings such as the Maitland Post Office, Maitland Mercury Newspaper And Print Co. Budling and the Metropolitan Hotel.

Apartment Design Guide

The Apartment Design Guide was released by the Department of Planning and Environment in 2015 to provide guidance for the design and assessment of residential flat developments. The amended SEPP 65 requires consideration of the Apartment Design Guide. The ADG includes development controls and best practice benchmarks for achieving the design principles of SEPP 65.

Clause 6A of the ADG states that if a development control plan contains provisions that specify requirements, standards or requirements, standards or controls in relation to a matter to which Clause 6A applies (including visual privacy, solar and daylight access, common circulation and spaces, apartment size and layout, ceiling heights, private open space and balconies, natural ventilation and storage), those provisions have no effect.

The Guide has been considered by the Architect in the design and the following table sets out the proposal's compliance with the Guide's key Design Criteria:

ADG ref	Item description	Compliance/comment
PART 3	**Siting the Development**	
3A	**Site Analysis**	
3A-1	**Objective:** Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context	Compliant.
	Design guidance: Each element in the Site Analysis Checklist should be addressed (see Appendix 1)	Site analysis is consistent with the requirements of Appendix 1, ADG; refer to drawing A822 Rev A prepared by Becerra Architects. The front of the site faces North-east. The site is trapezoid with a frontage of 25.6 meters and side boundaries of 46.542 and 45.535 respectively. The bedroom windows to the side boundaries are 4.5 meters from the boundary, but the adjoining developments are proposed and existing commercial, and the bedrooms do not face any habitable rooms. Further the window openings are vertical to meet the light and ventilation requirements but limit overlooking.
3B	**Orientation**	

3B-1	**Objective:** Building types and layouts respond to the streetscape and site while optimising solar access within the development.	Compliant.
	Design guidance Buildings along the street frontage define the street, by facing it and incorporating direct access from the street (see figure 3B.1). Where the street frontage is to the east or west, rear buildings should be orientated to the north. Where the street frontage is to the north or south, overshadowing to the south should be minimised and buildings behind the street frontage should be orientated to the east and west (see figure 3B.2)	Direct access is provided off Grant St, which is compliant.
3B-2	**Objective:** Overshadowing of neighbouring properties is minimised during mid-winter	Compliant.
	Design guidance Living areas, private open space and communal open space should receive solar access in accordance with sections 3D Communal and public open space and 4A Solar and daylight access. Solar access to living rooms, balconies and private open spaces of neighbours should be considered. Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%. If the proposal will significantly reduce the solar access of neighbours, building separation should be increased beyond minimums contained in section 3F Visual privacy. Overshadowing should be minimised to the south or downhill by increased upper-level setbacks. It is optimal to orientate buildings at 90 degrees to the boundary with neighbouring properties to minimise overshadowing and privacy impacts, particularly where minimum setbacks are used and where buildings are higher than the adjoining development.	Solar Diagrams have been provided within the Architectural plans set. Solar access has been considered for living rooms, balconies, and POS. The optimal openings for solar access to the units was to the front boundary and the Northwest boundary. The bedroom windows to the side boundaries are 4.5 meters from the boundary, but the adjoining developments are proposed and existing commercial, and the bedrooms do not face any habitable rooms. Further the window openings are vertical to meet the light and ventilation requirements but limit overlooking. There are No solar collectors to adjoining buildings a that are impacted by the proposal.

3C	Public Domain Interface	
3C-1	**Objective:** Transition between private and public domain is achieved without compromising safety and security	Compliant
	Design guidance Terraces, balconies and courtyard apartments should have direct street entry, where appropriate. Changes in level between private terraces, front gardens and dwelling entries above the street level provide surveillance and improve visual privacy for ground level dwellings (see figure 3C.1). Upper level balconies and windows should overlook the public domain Front fences and walls along street frontages should use visually permeable materials and treatments. The height of solid fences or walls should be limited to 1m. Length of solid walls should be limited along street frontages. Opportunities should be provided for casual interaction between residents and the public domain. Design solutions may include seating at building entries, near letter boxes and in private courtyards adjacent to streets. In developments with multiple buildings and/or entries, pedestrian entries and spaces associated with individual buildings/entries should be differentiated to improve legibility for residents, using a number of the following design solutions: - architectural detailing - changes in materials - plant species - colours Opportunities for people to be concealed should be minimised.	Access to the development is off Grant Street with a covered walkway leading from the street to the main entry lobby. This will be well lit and will have security cameras. Vehicular access to car parking will be off Grant Street and will have a security gate. The carpark will also be secure by the front walls of the development at the building line built to the side boundaries.
3C-2	**Objective:** Amenity of the public domain is retained and enhanced	Compliant
	Design guidance Planting softens the edges of any raised terraces to the street, for example above sub-basement car parking. Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided.	There will be landscape areas in the front set back, which is appropriate to the Town Centre Precinct. A mailbox is proposed and can be integrated into the front brick wall if required.

	The visual prominence of underground car park vents should be minimised and located at a low level where possible. Substations, pump rooms, garbage storage areas and other service requirements should be located in basement car parks or out of view. Ramping for accessibility should be minimised by building entry location and setting ground floor levels in relation to footpath levels. Durable, graffiti resistant and easily cleanable materials should be used. Where development adjoins public parks, open space or bushland, the design positively addresses this interface and uses a number of the following design solutions: - street access, pedestrian paths and building entries which are clearly defined - paths, low fences and planting that clearly delineate between comm/private open space and the adjoining public open space - minimal use of blank walls, fences and ground level parking On sloping sites protrusion of car parking above ground level should be minimised.	 The bin area is in the ground floor parking level. Noted, this can be conditioned. N/A
3D	**Communal and public open space**	
3D-1	**Objective:** An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping	Compliant

	Design criteria Communal open space has a minimum area equal to 25% of the site (see figure 3D.3) Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid- winter) **Design guidance** Communal open space should be consolidated into a well-designed, easily identified and usable area Communal open space should have a minimum dimension of 3m, and larger developments should consider greater dimensions. Communal open space should be co-located with deep soil areas. Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies. Where communal open space cannot be provided at ground level, it should be provided on a podium or roof. Where developments are unable to achieve the design criteria, such as on small lots, sites within business zones, or in a dense urban area, they should: -provide communal spaces elsewhere such as a landscaped roof top terrace or a common room -provide larger balconies or increased private open space for apartments -demonstrate good proximity to public open space and facilities and/or provide contributions to public open space.	Communal open space has a minimum area equal to 27% of the site. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter). The communal open space should be a minimum dimension of 3m.
3D-2	**Objective:** Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting	Compliant
	Design guidance Facilities are provided within communal open spaces and common spaces for a range of age groups (see also 4F Common circulation and spaces), incorporating some of the following elements: - seating for individuals or groups - barbecue areas - play equipment or play areas - swimming pools, gyms, tennis courts or common rooms	As noted above.

	The location of facilities responds to microclimate and site conditions with access to sun in winter, shade in summer and shelter from strong winds and down drafts Visual impacts of services should be minimised, including location of ventilation duct outlets from basement car parks, electrical substations and detention tanks	
3D-3	**Objective**: Communal open space is designed to maximise safety	Compliant
	Communal open space and the public domain should be readily visible from habitable rooms and private open space areas while maintaining visual privacy. Design solutions may include: - bay windows - corner windows - balconies Communal open space should be well lit. Where communal open space/facilities are provided for children and young people they are safe and contained.	As above.
3D-4	**Objective:** Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood	Compliant
	Design guidance The public open space should be well connected with public streets along at least one edge. The public open space should be connected with nearby parks and other landscape elements. Public open space should be linked through view lines, pedestrian desire paths, termination points and the wider street grid. Solar access should be provided year-round along with protection from strong winds. Opportunities for a range of recreational activities should be provided for people of all ages. A positive address and active frontages should be provided adjacent to public open space. Boundaries should be clearly defined between public open space and private areas.	This has been achieved where possible.
3E	**Deep soil zones**	
3E-1	**Objective:** Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality	Compliant
	Design Criteria 1. Deep soil zones are to meet the following minimum requirements:	Deep soil zones provide 371 square meters area accommodating native species of trees and vegetation, well in excess of the requirements under the ADG.

	<table><tr><th>Site area</th><th>Minimum dimensions</th><th>Deep soil zone (% of site area)</th></tr><tr><td>less than 650m²</td><td>-</td><td rowspan="4">7%</td></tr><tr><td>650m² - 1,500m²</td><td>3m</td></tr><tr><td>greater than 1,500m²</td><td>6m</td></tr><tr><td>greater than 1,500m² with significant existing tree cover</td><td>6m</td></tr></table> **Design guidance** On some sites it may be possible to provide larger deep soil zones, depending on the site area and context: -10% of the site as deep soil on sites with an area of 650m2 - 1,500m2 -15% of the site as deep soil on sites greater than 1,500m2 Deep soil zones should be located to retain existing significant trees and to allow for the development of healthy root systems, providing anchorage and stability for mature trees. Design solutions may include: -basement and sub-basement car park design that is consolidated beneath building footprints -use of increased front and side setbacks -adequate clearance around trees to ensure long term health -co-location with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil Achieving the design criteria may not be possible on some sites including where: -the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres) -there is 100% site coverage or non-residential uses at ground floor level Where a proposal does not achieve deep soil requirements, acceptable stormwater management should be achieved and alternative forms of planting provided such as on structure.	
3F	**Visual Privacy**	
3F-1	**Objective**: Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy	Compliant
	Design criteria	When measuring the building separation between commercial and residential uses, consider office windows

<table>
<tr>
<td></td>
<td>Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:

<table>
<tr><th>Building height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr>
<tr><td>up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr>
<tr><td>up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr>
<tr><td>over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr>
</table>

Design guidance
Generally one step in the built form as the height increases due to building separations is desirable. Additional steps should be careful not to cause a 'ziggurat' appearance.
For residential buildings next to commercial buildings, separation distances should be measured as follows:
-for retail, office spaces and commercial balconies use the habitable room distances.
-for service and plant areas use the non habitable room distances.
New development should be located and oriented to maximise visual privacy between buildings on site and for neighbouring buildings. Design solutions include:
-site layout and building orientation to minimise privacy impacts (see also section 3B Orientation)
-on sloping sites, apartments on different levels have appropriate visual separation distances (see figure 3F.4)
Apartment buildings should have an increased separation distance of 3m (in addition to the requirements set out in design criteria 1) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale and increased landscaping (figure 3F.5)
Direct lines of sight should be avoided for windows and balconies across corners.
No separation is required between blank walls</td>
<td>and balconies as habitable space and service and plant areas as non-habitable.

Where applying separation to buildings on adjoining sites, apply half the minimum separation distance measured to the boundary. This distributes the building separation equally between sites.

The living room windows to the side boundaries are all 6 meters from the side boundary. Although the upper level is beyond the 12-meter height limit, it should be considered that future developments will have the same constraints of height due the sites being in a flood affected area.

The bedroom windows to the side boundaries are 4.5 meters from the boundary, but the adjoining developments are commercial, and the bedrooms do not face any habitable rooms. Further the window openings are vertical to meet the light and ventilation requirements but limit overlooking.</td>
</tr>
<tr>
<td>3F-2</td>
<td>Objective: Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space</td>
<td>Compliant</td>
</tr>
<tr>
<td></td>
<td>Design guidance
Communal open space, common areas and access paths should be separated from private open space and windows to apartments, particularly habitable room windows. Design solutions may include:
-setbacks</td>
<td>Communal open space is separate from the private open space for each unit, as it is at the rear of the property.</td>
</tr>
</table>

	-solid or partially solid balustrades to balconies at lower levels -fencing and/or trees and vegetation to separate spaces -screening devices -bay windows or pop out windows to provide privacy in one direction and outlook in another -raising apartments/private open space above the public domain or communal open space -planter boxes incorporated into walls and balustrades to increase visual separation -pergolas or shading devices to limit overlooking of lower apartments or private open space -on constrained sites where it can be demonstrated that building layout opportunities are limited, fixed louvres or screen panels to windows and/or balconies. Bedrooms, living spaces and other habitable rooms should be separated from gallery access and other open circulation space by the apartment's service areas. Balconies and private terraces should be located in front of living rooms to increase internal privacy Windows should be offset from the windows of adjacent buildings. Recessed balconies and/or vertical fins should be used between adjacent balconies.	
3G	**Pedestrian Access and entries**	
3G-1	**Objective:** Building entries and pedestrian access connects to and addresses the public domain	Compliant
	Design guidance Multiple entries (including communal building entries and individual ground floor entries) should be provided to activate the street edge. Entry locations relate to the street and subdivision pattern and the existing pedestrian network. Building entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries. Where street frontage is limited and multiple buildings are located on the site, a primary street address should be provided with clear sight lines and pathways to secondary building entries.	Access to the development is off Grant Street with a covered walkway leading from the street to the main entry lobby. This clearly identifies the pedestrian entry point from the public domain. Entry to the site is reasonably flat with only 1% falls from the lobby entry to Grant Street.
3G-2	**Objective:** Access, entries and pathways are accessible and easy to identify	Compliant
	Design guidance Building access areas including lift lobbies, stairwells and hallways should be clearly visible from the public domain and communal spaces The design of ground floors and underground car parks minimise level changes along pathways and entries.	The proposed development is compliant.

	Steps and ramps should be integrated into the overall building and landscape design For large developments 'way finding' maps should be provided to assist visitors and residents (see figure 4T.3). For large developments electronic access and audio/video intercom should be provided to manage access.	
3G-3	**Objective:** Large sites provide pedestrian links for access to streets and connection to destinations	Compliant.
	Design guidance Pedestrian links through sites facilitate direct connections to open space, main streets, centres and public transport. Pedestrian links should be direct, have clear sight lines, be overlooked by habitable rooms or private open spaces of dwellings, be well lit and contain active uses, where appropriate.	The proposed development is compliant.
3H	**Vehicle Access**	
3H-1	**Objective:** Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes	Compliant.
	Design guidance Car park access should be integrated with the building's overall facade. Design solutions may include: -the materials and colour palette to minimise visibility from the street -security doors or gates at entries that minimise voids in the facade -where doors are not provided, the visible interior reflects the facade design and the building services, pipes and ducts are concealed. Car park entries should be located behind the building line. Vehicle entries should be located at the lowest point of the site minimising ramp lengths, excavation and impacts on the building form and layout. Car park entry and access should be located on secondary streets or lanes where available. Vehicle standing areas that increase driveway width and encroach into setbacks should be avoided. Access point locations should avoid headlight glare to habitable rooms. Adequate separation distances should be provided between vehicle entries and street intersections. The width and number of vehicle access points should be limited to the minimum. Visual impact of long driveways should be minimised through changing alignments and screen planting.	The vehicular entry is off Grant Street and separate from the Pedestrian entry.

	The need for large vehicles to enter or turn around within the site should be avoided. Garbage collection, loading and servicing areas are screened. Clear sight lines should be provided at pedestrian and vehicle crossings. Traffic calming devices such as changes in paving material or textures should be used where appropriate. Pedestrian and vehicle access should be separated and distinguishable. Design solutions may include: -changes in surface materials -level changes -the use of landscaping for separation	
3J	**Bicycle and Car parking**	
3J-1	**Objective:** Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas	Compliant.
	Design criteria 1. For development in the following locations: -on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or -on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less. The car parking needs for a development must be provided off street. **Design guidance** Where a car share scheme operates locally, provide car share parking spaces within the development. Car share spaces, when provided, should be on site Where less car parking is provided in a development, council should not provide on street resident parking permits.	There are 17 bike parking spaces locate on the Ground Floor.
3J-2	**Objective:** Parking and facilities are provided for other modes of transport	Compliant
	Design guidance Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters. Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas. Conveniently located charging stations are provided for electric vehicles, where desirable.	All parking has been provided undercover.
3J-3	**Objective:** Car park design and access is safe and secure	Compliant

	Design guidance Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas and car wash bays can be accessed without crossing car parking spaces. Direct, clearly visible and well-lit access should be provided into common circulation areas A clearly defined and visible lobby or waiting area should be provided to lifts and stairs For larger car parks, safe pedestrian access should be clearly defined and circulation areas have good lighting, colour, line marking and/or bollards.	The proposed development is compliant.
3J-4	**Objective:** Visual and environmental impacts of underground car parking are minimised	Compliant
	Design guidance Excavation should be minimised through efficient car park layouts and ramp design Car parking layout should be well organised, using a logical, efficient structural grid and double loaded aisles. Protrusion of car parks should not exceed 1m above ground level. Design solutions may include stepping car park levels or using split levels on sloping sites. Natural ventilation should be provided to basement and sub basement car parking areas Ventilation grills or screening devices for car parking openings should be integrated into the facade and landscape design.	The proposed development is compliant.
3J-5	**Objective:** Visual and environmental impacts of on-grade car parking are minimised	Compliant
	Design guidance On-grade car parking should be avoided Where on-grade car parking is unavoidable, the following design solutions are used: -parking is located on the side or rear of the lot away from the primary street frontage -cars are screened from view of streets, buildings, communal and private open space areas -safe and direct access to building entry points is provided -parking is incorporated into the landscape design of the site, by extending planting and materials into the car park space -stormwater run-off is managed appropriately from car parking surfaces -bio-swales, rain gardens or on-site detention tanks are provided, where appropriate -light coloured paving materials or permeable paving systems are used and shade trees are planted between every 4-5 parking spaces to reduce increased surface temperatures from large areas of paving	The proposed development is compliant.

3J-6	**Objective:** Visual and environmental impacts of above ground enclosed car parking are minimised	Compliant
	Design guidance Exposed parking should not be located along primary street frontages. Screening, landscaping and other design elements including public art should be used to integrate the above ground car parking with the facade. Design solutions may include: car parking that is concealed behind the facade, with windows integrated into the overall facade design (approach should be limited to developments where a larger floor plate podium is suitable at lower levels). car parking that is 'wrapped' with other uses, such as retail, commercial or two storey Small Office/Home Office (SOHO) units along the street frontage (see figure 3J.9) Positive street address and active frontages should be provided at ground level.	The proposed development is compliant.
Part 4 Designing the building		
4A	**Solar and daylight access**	
4A-1	**Objective:** To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space	Compliant
	Design criteria 1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas 2. In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid-winter 3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter **Design guidance** The design maximises north aspect and the number of single aspect south facing apartments is minimised. Single aspect, single storey apartments should have a northerly or easterly aspect. Living areas are best located to the north and service areas to the south and west of apartments To optimise the direct sunlight to habitable rooms and balconies a number of the following design features are used: -dual aspect apartments -shallow apartment layouts	Solar Access analysis identifies that 80 % (12 /15) of the apartments proposed would receive a minimum of 2 hours of sunlight between 9am and 3pm in mid winter, which meets the minimum proportion of 70% sought by ADG.

	-two storey and mezzanine level apartments -bay windows To maximise the benefit to residents of direct sunlight within living rooms and private open spaces, a minimum of 1m2 of direct sunlight, measured at 1m above floor level, is achieved for at least 15 minutes. Achieving the design criteria may not be possible on some sites. This includes: -where greater residential amenity can be achieved along a busy road or rail line by orientating the living rooms away from the noise source -on south facing sloping sites -where significant views are oriented away from the desired aspect for direct sunlight Design drawings need to demonstrate how site constraints and orientation preclude meeting the design criteria	
4A-2	**Objective:** Daylight access is maximised where sunlight is limited	Compliant
	Design guidance Courtyards, skylights and high level windows (with sills of 1,500mm or greater) are used only as a secondary light source in habitable rooms Where courtyards are used : use is restricted to kitchens, bathrooms and service areas building services are concealed with appropriate detailing and materials to visible walls courtyards are fully open to the sky access is provided to the light well from a communal area for cleaning and maintenance acoustic privacy, fire safety and minimum privacy separation distances (see section 3F Visual privacy) are achieved. Opportunities for reflected light into apartments are optimised through: reflective exterior surfaces on buildings opposite south facing windows. positioning windows to face other buildings or surfaces (on neighbouring sites or within the site) that will reflect light. integrating light shelves into the design light coloured internal finishes	The proposed development is compliant.
4A-3	**Objective:** Design incorporates shading and glare control, particularly for warmer months	Compliant
	Design guidance A number of the following design features are used: -balconies or sun shading that extend far enough to shade summer sun, but allow winter sun to penetrate living areas	The proposed development has been designed to comply with the requirements listed.

	-shading devices such as eaves, awnings, balconies, pergolas, external louvres and planting -horizontal shading to north facing windows -vertical shading to east and particularly west facing windows -operable shading to allow adjustment and choice -high performance glass that minimises external glare off windows, with consideration given to reduced tint glass or glass with a reflectance level below 20% (reflective films are avoided)	
4B	**Natural Ventilation**	
4B-1	**Objective:** All habitable rooms are naturally ventilated	Compliant
	Design guidance The building's orientation maximises capture and use of prevailing breezes for natural ventilation in habitable rooms. Depths of habitable rooms support natural ventilation. The area of unobstructed window openings should be equal to at least 5% of the floor area served Light wells are not the primary air source for habitable rooms. Doors and openable windows maximise natural ventilation opportunities by using the following design solutions: -adjustable windows with large effective openable areas -a variety of window types that provide safety and flexibility such as awnings and louvres -windows which the occupants can reconfigure to funnel breezes into the apartment such as vertical louvres, casement windows and externally opening doors.	Cross ventilation analysis identifies that 80% (12 /15) of the units are naturally cross ventilated, which is more than the minimum ADG requirements of least 60% of apartments are naturally cross-ventilated.
4B-2	**Objective:** The layout and design of single aspect apartments maximises natural ventilation	Compliant
	Design guidance Apartment depths are limited to maximise ventilation and airflow (see also figure 4D.3) Natural ventilation to single aspect apartments is achieved with the following design solutions: -primary windows are augmented with plenums and light wells (generally not suitable for cross ventilation) -stack effect ventilation / solar chimneys or similar to naturally ventilate internal building areas or rooms such as bathrooms and laundries. -courtyards or building indentations have a width to depth ratio of 2:1 or 3:1 to ensure effective air circulation and avoid trapped smells.	Compliance has been achieved, as noted above.
4B-3	**Objective:** The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents	Compliant

<table>
<tr><td></td><td>Design criteria
1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed
2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line

Design guidance
The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths.
In cross-through apartments external window and door opening sizes/areas on one side of an apartment (inlet side) are approximately equal to the external window and door opening sizes/areas on the other side of the apartment (outlet side) (see figure 4B.4).
Apartments are designed to minimise the number of corners, doors and rooms that might obstruct airflow.
Apartment depths, combined with appropriate ceiling heights, maximise cross ventilation and airflow.</td><td>The proposed development has been designed to comply with the requirements listed.</td></tr>
<tr><td>4C</td><td colspan="2">Ceiling Heights</td></tr>
<tr><td>4C-1</td><td>Objective: Ceiling height achieves sufficient natural ventilation and daylight access</td><td>Compliant</td></tr>
<tr><td></td><td>Design criteria

Measured from finished floor level to finished ceiling level, minimum ceiling heights are:

<table>
<tr><th colspan="2">Minimum ceiling height
for apartment and mixed use buildings</th></tr>
<tr><td>Habitable rooms</td><td>2.7m</td></tr>
<tr><td>Non-habitable</td><td>2.4m</td></tr>
<tr><td>For 2 storey apartments</td><td>2.7m for main living area floor
2.4m for second floor, where its area does not exceed 50% of the apartment area</td></tr>
<tr><td>Attic spaces</td><td>1.8m at edge of room with a 30 degree minimum ceiling slope</td></tr>
<tr><td>If located in mixed used areas</td><td>3.3m for ground and first floor to promote future flexibility of use</td></tr>
</table>

Design guidance
Ceiling height can accommodate use of ceiling fans for cooling and heat distribution</td><td>Ceilings are 2.7m in height.</td></tr>
</table>

<table>
<tr><td>4C-2</td><td>Objective: Ceiling height increases the sense of space in apartments and provides for well proportioned rooms.</td><td>Compliant</td></tr>
<tr><td></td><td>Design guidance
A number of the following design solutions can be used:
the hierarchy of rooms in an apartment is defined using changes in ceiling heights and alternatives such as raked or curved ceilings, or double height spaces.
Well-proportioned rooms are provided, for example, smaller rooms feel larger and more spacious with higher ceilings.
Ceiling heights are maximised in habitable rooms by ensuring that bulkheads do not intrude. The stacking of service rooms from floor to floor and coordination of bulkhead location above non-habitable areas, such as robes or storage, can assist.</td><td>All habitable rooms are proposed to be 2.7m,
with kitchens and bathrooms proposed to be 2.4m in height maximising the space of each room, whilst considering the height limit for the zone.</td></tr>
<tr><td>4C-3</td><td>Objective: Ceiling heights contribute to the flexibility of building use over the life of the building</td><td>Compliant.</td></tr>
<tr><td></td><td>Design guidance
Ceiling heights of lower-level apartments in centres should be greater than the minimum required by the design criteria allowing flexibility and conversion to non-residential uses (see figure 4C.1)</td><td>2.7m is proposed.</td></tr>
<tr><td>4D</td><td colspan="2">Apartment size and layout</td></tr>
<tr><td>4D-1</td><td>Objective: The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity</td><td>Compliant.</td></tr>
<tr><td></td><td>Design criteria
Apartments are required to have the following minimum internal areas:
<table><tr><th>Apartment type</th><th>Minimum internal area</th></tr><tr><td>Studio</td><td>35m²</td></tr><tr><td>1 bedroom</td><td>50m²</td></tr><tr><td>2 bedroom</td><td>70m²</td></tr><tr><td>3 bedroom</td><td>90m²</td></tr></table>
The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m2 each
A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m2 each.

Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.

Design guidance</td><td>The proposal has the following unit areas
• 1 bedroom: 50m2
• 2 bedroom: 80 and 82 m2 (all 2 Bedrooms have ensuites and bathrooms)
Each room is compliant with the minimum internal area requirements. Each habitable room has glazing of more than 10%.</td></tr>
</table>

	Kitchens should not be located as part of the main circulation space in larger apartments (such as hallway or entry space). A window should be visible from any point in a habitable room. Where minimum areas or room dimensions are not met apartments need to demonstrate that they are well designed and demonstrate the usability and functionality of the space with realistically scaled furniture layouts and circulation areas. These circumstances would be assessed on their merits.	
4D-2	**Objective:** Environmental performance of the apartment is maximised	Compliant
	Design guidance Greater than minimum ceiling heights can allow for proportional increases in room depth up to the permitted maximum depths. All living areas and bedrooms should be located on the external face of the building. Where possible: bathrooms and laundries should have an external openable window. Main living spaces should be oriented toward the primary outlook and aspect and away from noise sources.	All living areas and bedrooms are located on the perimeter of the building. Main living spaces are orientated towards the primary outlook.
4D-3	**Objective:** Apartment layouts are designed to accommodate a variety of household activities and needs	Compliant.
	Design criteria 1.Master bedrooms have a minimum area of 10m2 and other bedrooms 9m2 (excluding wardrobe space) 2.Bedrooms have a minimum dimension of 3m (excluding wardrobe space) 3.Living rooms or combined living/dining rooms have a minimum width of: -3.6m for studio and 1 bedroom apartments -4m for 2 and 3 bedroom apartments 4.The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts. **Design guidance** Access to bedrooms, bathrooms and laundries is separated from living areas minimising direct openings between living and service areas All bedrooms allow a minimum length of 1.5m for robes.	Each master bedroom has an area of 10m2 or larger. All bedrooms have a minimum of 3m in dimension. Compliance has been achieved. Compliance has been achieved.

	The main bedroom of an apartment or a studio apartment should be provided with a wardrobe of a minimum 1.8m long, 0.6m deep and 2.1m high. Apartment layouts allow flexibility over time, design solutions may include: -dimensions that facilitate a variety of furniture arrangements and removal -spaces for a range of activities and privacy levels between different spaces within the apartment -dual master apartments -dual key apartments -room sizes and proportions or open plans (rectangular spaces (2:3) are more easily furnished than square spaces (1:1)) -efficient planning of circulation by stairs, corridors and through rooms to maximise the amount of usable floor space in rooms	
4E	**Private open space and balconies**	
4E-1	**Objective** Apartments provide appropriately sized private open space and balconies to enhance residential amenity.	Compliant
	Design criteria All apartments are required to have primary balconies as follows: The minimum balcony depth to be counted as contributing to the balcony area is 1m For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m2 and a minimum depth of 3m **Design guidance** Increased communal open space should be provided where the number or size of balconies are reduced. Storage areas on balconies is additional to the minimum balcony size Balcony use may be limited in some proposals by: consistently high wind speeds at 10 storeys and above. close proximity to road, rail or other noise sources	The proposal has the following balcony areas • 1 bedroom: 8 m2+ 2m depth •2 bedroom: 10m2 + 2m depth All balconies are off living areas.

Dwelling type	Minimum area	Minimum depth
Studio apartments	4m²	-
1 bedroom apartments	8m²	2m
2 bedroom apartments	10m²	2m
3+ bedroom apartments	12m²	2.4m

	exposure to significant levels of aircraft noise heritage and adaptive reuse of existing buildings In these situations, juliet balconies, operable walls, enclosed wintergardens or bay windows may be appropriate, and other amenity benefits for occupants should also be provided in the apartments or in the development or both. Natural ventilation also needs to be demonstrated	
4E-2	**Objective:** Primary private open space and balconies are appropriately located to enhance liveability for residents	Compliant
	Design guidance Primary open space and balconies should be located adjacent to the living room, dining room or kitchen to extend the living space. Private open spaces and balconies predominantly face north, east or west. Primary open space and balconies should be orientated with the longer side facing outwards or be open to the sky to optimise daylight access into adjacent rooms.	Each unit achieves compliance.
4E-3	**Objective:** Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building	Compliant
	Design guidance Solid, partially solid or transparent fences and balustrades are selected to respond to the location. They are designed to allow views and passive surveillance of the street while maintaining visual privacy and allowing for a range of uses on the balcony. Solid and partially solid balustrades are preferred. Full width full height glass balustrades alone are generally not desirable. Projecting balconies should be integrated into the building design and the design of soffits considered Operable screens, shutters, hoods and pergolas are used to control sunlight and wind. Balustrades are set back from the building or balcony edge where overlooking or safety is an issue. Downpipes and balcony drainage are integrated with the overall facade and building design Air-conditioning units should be located on roofs, in basements, or fully integrated into the building design. Where clothes drying, storage or air conditioning units are located on balconies, they should be screened and integrated in the building design Ceilings of apartments below terraces should be insulated to avoid heat loss. Water and gas outlets should be provided for primary balconies and private open space.	The development is compliant with the requirements for this clause.
4E-4	**Objective:** Private open space and balcony design maximises safety	Compliant

	Design guidance Changes in ground levels or landscaping are minimised. Design and detailing of balconies avoids opportunities for climbing and falls.	All units achieve compliance.
4F	**Common Circulation and spaces**	
4F-1	**Objective:** Common circulation spaces achieve good amenity and properly service the number of apartments	Compliant
	Design criteria 1.The maximum number of apartments off a circulation core on a single level is eight 2.For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40 **Design guidance** Greater than minimum requirements for corridor widths and/ or ceiling heights allow comfortable movement and access particularly in entry lobbies, outside lifts and at apartment entry doors Daylight and natural ventilation should be provided to all common circulation spaces that are above ground. Windows should be provided in common circulation spaces and should be adjacent to the stair or lift core or at the ends of corridors Longer corridors greater than 12m in length from the lift core should be articulated. Design solutions may include: -a series of foyer areas with windows and spaces for seating -wider areas at apartment entry doors and varied ceiling heights. Design common circulation spaces to maximise opportunities for dual aspect apartments, including multiple core apartment buildings and cross over apartments. Achieving the design criteria for the number of apartments off a circulation core may not be possible. Where a development is unable to achieve the design criteria, a high level of amenity for common lobbies, corridors and apartments should be demonstrated, including: -sunlight and natural cross ventilation in apartments -access to ample daylight and natural ventilation in common circulation spaces -common areas for seating and gathering -generous corridors with greater than minimum ceiling heights -other innovative design solutions that provide high levels of amenity.	There are 5 units per a circulation core on a each level which meets the principles of design. The common areas off the lift lobby are naturally ventilated and naturally lit allowing for a healthy internal environment not relying on mechanical devices assisting in energy savings for the residents. The common areas have been designed to accommodate accessibility users and thus promote easy circulation for all residents.

<table>
<tr><td></td><td>Where design criteria 1 is not achieved, no more than 12 apartments should be provided off a circulation core on a single level.
Primary living room or bedroom windows should not open directly onto common circulation spaces, whether open or enclosed. Visual and acoustic privacy from common circulation spaces to any other rooms should be carefully controlled</td><td></td></tr>
<tr><td>4F-2</td><td>Objective: Common circulation spaces promote safety and provide for social interaction between residents</td><td>Compliant</td></tr>
<tr><td></td><td>Design guidance
Direct and legible access should be provided between vertical circulation points and apartment entries by minimising corridor or gallery length to give short, straight, clear sight lines.
Tight corners and spaces are avoided Circulation spaces should be well lit at night.
Legible signage should be provided for apartment numbers, common areas and general wayfinding
Incidental spaces, for example space for seating in a corridor, at a stair landing, or near a window are provided.
In larger developments, community rooms for activities such as owners corporation meetings or resident use should be provided and are ideally co-located with communal open space.
Where external galleries are provided, they are more open than closed above the balustrade along their length.</td><td>The proposed development has been designed to comply with the requirements listed.</td></tr>
<tr><td>4G</td><td colspan="2">Storage</td></tr>
<tr><td>4G-1</td><td>Objective: Adequate, well designed storage is provided in each apartment</td><td>Compliant</td></tr>
<tr><td></td><td>Design criteria
In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:

<table><tr><th>Dwelling type</th><th>Storage size volume</th></tr><tr><td>Studio apartments</td><td>4m³</td></tr><tr><td>1 bedroom apartments</td><td>6m³</td></tr><tr><td>2 bedroom apartments</td><td>8m³</td></tr><tr><td>3+ bedroom apartments</td><td>10m³</td></tr></table>
At least 50% of the required storage is to be located within the apartment.
Design guidance
Storage is accessible from either circulation or living areas.
Storage provided on balconies (in addition to the minimum balcony size) is integrated into the balcony</td><td>The prescribed ADG storage provisions are all within the units, this is due to the car parking area being subject to flooding.
Storage requirements for
• 1 bed: 6m3
• 2 bed: 8m3
Have been meet.</td></tr>
</table>

	design, weather proof and screened from view from the street. Left over space such as under stairs is used for storage.	
4G-2	**Objective:** Additional storage is conveniently located, accessible and nominated for individual apartments	N/A
	Design guidance Storage not located in apartments is secure and clearly allocated to specific apartments. Storage is provided for larger and less frequently accessed items. Storage space in internal or basement car parks is provided at the rear or side of car spaces or in cages so that allocated car parking remains accessible. If communal storage rooms are provided they should be accessible from common circulation areas of the building. Storage not located in an apartment is integrated into the overall building design and is not visible from the public domain.	N/A
4H	**Acoustic Privacy**	
4H-1	**Objective:** Noise transfer is minimised through the siting of buildings and building layout	Compliant
	Design guidance Adequate building separation is provided within the development and from neighbouring buildings/adjacent uses (see also section 2F Building separation and section 3F Visual privacy) Window and door openings are generally orientated away from noise sources. Noisy areas within buildings including building entries and corridors should be located next to or above each other and quieter areas next to or above quieter areas. Storage, circulation areas and non-habitable rooms should be located to buffer noise from external sources. The number of party walls (walls shared with other apartments) are limited and are appropriately insulated. Noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open spaces and circulation areas should be located at least 3m away from bedrooms.	The proposed development has been designed to comply with the requirements listed.
4H-2	**Objective:** Noise impacts are mitigated within apartments through layout and acoustic treatments	Compliant
	Design guidance Internal apartment layout separates noisy spaces from quiet spaces, using a number of the following design solutions: -rooms with similar noise requirements are grouped together	The acoustic report that accompanies this application outlines the following, A semi-quantitative screening test of noise intrusion from

	-doors separate different use zones -wardrobes in bedrooms are co-located to act as sound buffers Where physical separation cannot be achieved noise conflicts are resolved using the following design solutions: -double or acoustic glazing -acoustic seals -use of materials with low noise penetration properties -continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements	road traffic travelling on the nearby New England Highway has been completed. The findings of the screening test demonstrate that Category 2 treatments, which is consistent with 6mm monolithic glazing standard construction materials, are expected to be able to provide suitable attenuation from road traffic associated with busy roads in the area. It is understood that 6.38mm laminated glazing, which is consistent with Category 3 treatments will be installed in the development which exceeds the recommendation for Category 2 treatments. The development has been design in accordance with these requirements and as such can comply. Support has been provided by Muller Acoustic Consulting.
4J	**Noise and pollution**	
4J-1	**Objective:** In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings	Compliant
	Design guidance To minimise impacts the following design solutions may be used: -physical separation between buildings and the noise or pollution source -residential uses are located perpendicular to the noise source and where possible buffered by other uses -non-residential buildings are sited to be parallel with the noise source to provide a continuous building that shields residential uses and communal open spaces -non-residential uses are located at lower levels vertically separating the residential component from the noise or pollution source. Setbacks to the underside of residential floor levels should increase relative to traffic volumes and other noise sources -buildings should respond to both solar access and noise. Where solar access is away from the noise source, non-habitable rooms can provide a buffer	The proposed development has been designed to comply with the requirements listed.

	-where solar access is in the same direction as the noise source, dual aspect apartments with shallow building depths are preferable (see figure 4J.4) -landscape design reduces the perception of noise and acts as a filter for air pollution generated by traffic and industry. Achieving the design criteria in this Apartment Design Guide may not be possible in some situations due to noise and pollution. Where developments are unable to achieve the design criteria, alternatives may be considered in the following areas: -solar and daylight access -private open space and balconies -natural cross ventilation	
4J-2	**Objective:** Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission	Compliant
	Design guidance Design solutions to mitigate noise include: -limiting the number and size of openings facing noise sources -providing seals to prevent noise transfer through gaps -using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens) -using materials with mass and/or sound insulation or absorption properties e.g. solid balcony balustrades, external screens and soffits.	The development has been designed in accordance with these provisions.
4K	**Apartment Mix**	
4K-1	**Objective:** A range of apartment types and sizes is provided to cater for different household types now and into the future	Compliant
	Design guidance A variety of apartment types is provided The apartment mix is appropriate, taking into consideration: the distance to public transport, employment and education centres. The current market demands and projected future demographic trends. The demand for social and affordable housing different cultural and socioeconomic groups. Flexible apartment configurations are provided to support diverse household types and stages of life including single person households, families, multi-generational families and group households	The proposed dwelling mix as follows; • 1 bed 10-40% required – 20% provided • 2 bed 40-75% required – 80% provided Therefore the dwelling mix is consistent in meeting the housing demands of the Maitland Town Centre
4K-2	**Objective:** The apartment mix is distributed to suitable locations within the building	Compliant

	Design guidance Different apartment types are located to achieve successful facade composition and to optimise solar access (see figure 4K.3). Larger apartment types are located on the ground or roof level where there is potential for more open space and on corners where more building frontage is available.	The development has been designed in accordance with these requirements.
4L	**Ground Floor apartments**	
4L-1	**Objective:** Street frontage activity is maximised where ground floor apartments are located	N/A
	Design guidance Direct street access should be provided to ground floor apartments Activity is achieved through front gardens, terraces and the facade of the building. Design solutions may include: both street, foyer and other common internal circulation entrances to ground floor apartments private open space is next to the street doors and windows face the street Retail or home office spaces should be located along street frontages Ground floor apartment layouts support small office home office (SOHO) use to provide future opportunities for conversion into commercial or retail areas. In these cases provide higher floor to ceiling heights and ground floor amenities for easy conversion	N/A
4L-2	**Objective:** Design of ground floor apartments delivers amenity and safety for residents	N/A
	Design guidance Privacy and safety should be provided without obstructing casual surveillance. Design solutions may include: elevation of private gardens and terraces above the street level by 1-1.5m (see figure 4L.4) landscaping and private courtyards window sill heights that minimise sight lines into apartments integrating balustrades, safety bars or screens with the exterior design Solar access should be maximised through: high ceilings and tall windows trees and shrubs that allow solar access in winter and shade in summer	N/A
4M	**Facades**	
4M-1	**Objective:** Building facades provide visual interest along the street while respecting the character of the local area	Compliant

	Design guidance Design solutions for front building facades may include: -a composition of varied building elements -a defined base, middle and top of buildings -revealing and concealing certain elements -changes in texture, material, detail and colour to modify the prominence of elements Building services should be integrated within the overall facade Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale. Design solutions may include: -well composed horizontal and vertical elements -variation in floor heights to enhance the human scale -elements that are proportional and arranged in patterns -public artwork or treatments to exterior blank walls -grouping of floors or elements such as balconies and windows on taller buildings. Building facades relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights Shadow is created on the facade throughout the day with building articulation, balconies and deeper window reveals	The form is rectilinear with the central part protruding to the side boundaries. The protrusions of the floor plates ae identified in a different colour brick. Openings are vertical and offset not only to comply with building codes but to create irregular shapes in the regular brick wall. The balconies are identified by the balustrade projecting 350 mm past the masonry walls the floor of the balcony within the external walls. The carparking area is screened by brick work for the majority of the carpark area and has hit-miss brick pattern to create natural ventilation to the carpark and identify the different use of the space.
4M-2	Objective: Building functions are expressed by the façade	Compliant
	Design guidance Building entries should be clearly defined Important corners are given visual prominence through a change in articulation, materials or colour, roof expression or changes in height The apartment layout should be expressed externally through facade features such as party walls and floor slabs	The development has been designed in accordance with these requirements.
4N	**Roof design**	
4N-1	**Objective**: Roof treatments are integrated into the building design and positively respond to the street	Compliant
	Design guidance Roof design relates to the street. Design solutions may include: special roof features and strong corners use of skillion or very low pitch hipped roofs breaking down the massing of the roof by using smaller elements to avoid bulk using materials or a pitched form complementary to adjacent buildings Roof treatments should be integrated with the building design. Design solutions may include:	As per the Pre Development Application (pre DA) meeting with Maitland Council ; a flat roof option was discussed to both stay within the DCP building height but also to be in contexts with similar height buildings were the roof is not prominent or pitched.

	roof design proportionate to the overall building size, scale and form roof materials compliment the building service elements are integrated	
4N-2	**Objective:** Opportunities to use roof space for residential accommodation and open space are maximised	Compliant
	Design guidance Habitable roof space should be provided with good levels of amenity. Design solutions may include: - penthouse apartments - dormer or clerestory windows - openable skylights Open space is provided on roof tops subject to acceptable visual and acoustic privacy, comfort levels, safety and security considerations	Given the height of the development, open space has not been provided on the roof top.
4N-3	Objective: Roof design incorporates sustainability features	Compliant
	Design guidance Roof design maximises solar access to apartments during winter and provides shade during summer. Design solutions may include: - the roof lights to the north - eaves and overhangs shade walls and windows from summer sun Skylights and ventilation systems should be integrated into the roof design	The roof has been designed in accordance with these requirements.
4O	**Landscape Design**	
4O-1	**Objective:** Landscape design is viable and sustainable	Compliant
	Design guidance Landscape design should be environmentally sustainable and can enhance environmental performance by incorporating: -diverse and appropriate planting -bio-filtration gardens -appropriately planted shading trees -areas for residents to plant vegetables and herbs -composting -green roofs or walls Ongoing maintenance plans should be prepared Microclimate is enhanced by: -appropriately scaled trees near the eastern and western elevations for shade -a balance of evergreen and deciduous trees to provide shading in summer and sunlight access in winter -shade structures such as pergolas for balconies and courtyards Tree and shrub selection considers size at maturity and the potential for roots to compete (see Table 4)	Deep soil zones provide 371 square meters area accommodating native species of trees and vegetation, well in excess of the requirements under the ADG. The landscape design has native trees and vegetation. The landscape plan has been designed to meet the requirements of the Maitland City Council DCP and the town Centre precinct

4O-2	**Objective:** Landscape design contributes to the streetscape and amenity	Compliant
	Design guidance Landscape design responds to the existing site conditions including: -changes of levels -views -significant landscape features including trees and rock outcrops Significant landscape features should be protected by: -tree protection zones (see figure 4O.5) -appropriate signage and fencing during construction Plants selected should be endemic to the region and reflect the local ecology	The landscaping plans provided demonstrate compliance with these requirements.
4P	**Planting on Structure**	
4P-1	**Objective:** Appropriate soil profiles are provided	Compliant
	Design guidance Structures are reinforced for additional saturated soil weight Soil volume is appropriate for plant growth, considerations include: -modifying depths and widths according to the planting mix and irrigation frequency -free draining and long soil life span -tree anchorage Minimum soil standards for plant sizes should be provided in accordance with Table 5	The landscape plans provided demonstrate compliance with these requirements.
4P-2	**Objective:** Plant growth is optimised with appropriate selection and maintenance	Compliant
	Design guidance Plants are suited to site conditions, considerations include: -drought and wind tolerance -seasonal changes in solar access -modified substrate depths for a diverse range of plants -plant longevity A landscape maintenance plan is prepared Irrigation and drainage systems respond to: -changing site conditions -soil profile and the planting regime -whether rainwater, stormwater or recycled grey water is used	The landscape plans provided demonstrate compliance with these requirements.
4P-3	**Objective:** Planting on structures contributes to the quality and amenity of communal and public open spaces	Compliant
	Design guidance Building design incorporates opportunities for planting on structures. Design solutions may include:	Given the nature of the heritage conservation area, Green walls have not been

	green walls with specialised lighting for indoor green walls wall design that incorporates planting green roofs, particularly where roofs are visible from the public domain planter boxes Note: structures designed to accommodate green walls should be integrated into the building facade and consider the ability of the facade to change over time	incorporated into this development. If this requirement is necessary, this can be conditioned as a part of development consent.
4Q	**Universal Design**	
4Q-1	**Objective:** Universal design features are included in apartment design to promote flexible housing for all community members	Compliant
	Design guidance Developments achieve a benchmark of 20% of the total apartments incorporating the Liveable Housing Guideline's silver level universal design features	The 3 accessible units have been designed to provide permanent accessible residents. There are 6 units which have considered the possible minor adaptation to allow silver living to occur. This includes units 2,3,7,8,12,13.
4Q-2	**Objective:** A variety of apartments with adaptable designs are provided	Compliant
	Design guidance Adaptable housing should be provided in accordance with the relevant council policy. Design solutions for adaptable apartments include: convenient access to communal and public areas high level of solar access minimal structural change and residential amenity loss when adapted larger car parking spaces for accessibility parking titled separately from apartments or shared car parking arrangements	The proposed development is compliant.
4Q-3	**Objective:** Apartment layouts are flexible and accommodate a range of lifestyle needs	Compliant
	Design guidance Apartment design incorporates flexible design solutions which may include: -rooms with multiple functions -dual master bedroom apartments with separate bathrooms -larger apartments with various living space options -open plan 'loft' style apartments with only a fixed kitchen, laundry and bathroom	This is not an adaptive reuse development.
4R	**Adaptive Reuse**	
4R-1	**Objective:** New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place	N/A
	Design guidance Design solutions may include: new elements to align with the existing building	N/A

	additions that complement the existing character, siting, scale, proportion, pattern, form and detailing use of contemporary and complementary materials, finishes, textures and colours Additions to heritage items should be clearly identifiable from the original building New additions allow for the interpretation and future evolution of the building	
4R-2	**Objective:** Adapted buildings provide residential amenity while not precluding future adaptive reuse	N/A
	Design guidance Design features should be incorporated sensitively into adapted buildings to make up for any physical limitations, to ensure residential amenity is achieved. Design solutions may include: generously sized voids in deeper buildings alternative apartment types when orientation is poor using additions to expand the existing building envelope Some proposals that adapt existing buildings may not be able to achieve all of the design criteria in this Apartment Design Guide. Where developments are unable to achieve the design criteria, alternatives could be considered in the following areas: where there are existing higher ceilings, depths of habitable rooms could increase subject to demonstrating access to natural ventilation, cross ventilation (when applicable) and solar and daylight access (see also sections 4A Solar and daylight access and 4B Natural ventilation) alternatives to providing deep soil where less than the minimum requirement is currently available on the site building and visual separation – subject to demonstrating alternative design approaches to achieving privacy common circulation car parking alternative approaches to private open space and balconies	N/A
4S Mixed use		
4S-1	**Objective:** Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement	N/A
	Design guidance Mixed use development should be concentrated around public transport and centres Mixed use developments positively contribute to the public domain. Design solutions may include: -development addresses the street -active frontages are provided -diverse activities and uses -avoiding blank walls at the ground level	N/A

	-live/work apartments on the ground floor level, rather than commercial	
4S-2	**Objective:** Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents	N/A
	Design guidance Residential circulation areas should be clearly defined. Design solutions may include: -residential entries are separated from commercial entries and directly accessible from the street -commercial service areas are separated from residential components -residential car parking and communal facilities are separated or secured -security at entries and safe pedestrian routes are provided -concealment opportunities are avoided Landscaped communal open space should be provided at podium or roof levels	N/A
4T	**Awnings and signage**	
4T-1	**Objective:** Awnings are well located and complement and integrate with the building design	Compliant
	Design guidance Awnings should be located along streets with high pedestrian activity and active frontages A number of the following design solutions are used: -continuous awnings are maintained and provided in areas with an existing pattern -height, depth, material and form complements the existing street character -protection from the sun and rain is provided -awnings are wrapped around the secondary frontages of corner sites -awnings are retractable in areas without an established pattern Awnings should be located over building entries for building address and public domain amenity Awnings relate to residential windows, balconies, street tree planting, power poles and street infrastructure Gutters and down pipes should be integrated and concealed Lighting under awnings should be provided for pedestrian safety	The entry awning is a covered walkway with access from the public domain to the entry lobby clearly identifiable on the street boundary.
4T-2	**Objective**: Signage responds to the context and desired streetscape character	Compliant
	Design guidance Signage should be integrated into the building design and respond to the scale, proportion and detailing of the development	There is no signage proposed.

	Legible and discrete way finding should be provided for larger developments Signage is limited to being on and below awnings and a single facade sign on the primary street frontage	
4U	**Energy Efficiency**	
4U-1	**Objective:** Development incorporates passive environmental design	Compliant
	Design guidance Adequate natural light is provided to habitable rooms (see 4A Solar and daylight access) Well located, screened outdoor areas should be provided for clothes drying	The proposed development is compliant.
4U-2	**Objective:** Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer	Compliant
	Design guidance A number of the following design solutions are used: -the use of smart glass or other technologies on north and west elevations -thermal mass in the floors and walls of north facing rooms is maximised -polished concrete floors, tiles or timber rather than carpet -insulated roofs, walls and floors and seals on window and door openings -overhangs and shading devices such as awnings, blinds and screens Provision of consolidated heating and cooling infrastructure should be located in a centralised location (e.g. the basement)	If required these items can be conditioned.
4U-3	**Objective:** Adequate natural ventilation minimises the need for mechanical ventilation	Compliant
	Design guidance A number of the following design solutions are used: rooms with similar usage are grouped together natural cross ventilation for apartments is optimised natural ventilation is provided to all habitable rooms and as many non-habitable rooms, common areas and circulation spaces as possible	The proposed development is compliant and any further information required, can be conditioned as a part of the consent.
4V	**Water Management and conservation**	
4V-1	**Objective:** Potable water use is minimised	Compliant
	Design guidance Water efficient fittings, appliances and wastewater reuse should be incorporated Apartments should be individually metered Rainwater should be collected, stored and reused on site Drought tolerant, low water use plants should be used within landscaped areas	The proposed development is compliant.
4V-2	**Objective**: Urban stormwater is treated on site before being discharged to receiving waters	Compliant

	Design guidance Water sensitive urban design systems are designed by a suitably qualified professional A number of the following design solutions are used: -runoff is collected from roofs and balconies in water tanks and plumbed into toilets, laundry and irrigation -porous and open paving materials is maximised -on site stormwater and infiltration, including bio-retention systems such as rain gardens or street tree pits	The proposed development is compliant, with the stormwater plans provided by Eclipse Consulting accompanying this application.
4V-3	**Objective:** Flood management systems are integrated into site design	Compliant
	Design Guidance Detention tanks should be located under paved areas, driveways or in basement car parks On large sites parks or open spaces are designed to provide temporary on-site detention basins	Detention tanks are integrated within the water tanks.
4W	**Waste management**	
4W-1	**Objective:** Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents	Compliant
	Design guidance Adequately sized storage areas for rubbish bins should be located discreetly away from the front of the development or in the basement car park Waste and recycling storage areas should be well ventilated Circulation design allows bins to be easily manoeuvred between storage and collection points Temporary storage should be provided for large bulk items such as mattresses A waste management plan should be prepared	Maitland Council Waste management guidelines for the storage and recycling of waste for residential developments has been followed.
4W-2	**Objective:** Domestic waste is minimised by providing safe and convenient source separation and recycling	Compliant
	Design guidance All dwellings should have a waste and recycling cupboard or temporary storage area of sufficient size to hold two days' worth of waste and recycling Communal waste and recycling rooms are in convenient and accessible locations related to each vertical core For mixed use developments, residential waste and recycling storage areas and access should be separate and secure from other uses Alternative waste disposal methods such as composting should be provided	Maitland Council Waste management guidelines for the storage and recycling of waste for residential developments has been followed.
4X	**Building Maintenance**	
4X-1	**Objective**: Building design detail provides protection from weathering	Compliant
	Design guidance A number of the following design solutions are used:	The proposed development is compliant and building

	roof overhangs to protect walls. Hoods over windows and doors to protect openings detailing horizontal edges with drip lines to avoid staining of surfaces. Methods to eliminate or reduce planter box leaching appropriate design and material selection for hostile locations.	maintenance will not be an issue, given the nature of the development.
4X-2	**Objective:** Systems and access enable ease of maintenance	Compliant
	Design guidance Window design enables cleaning from the inside of the building. Building maintenance systems should be incorporated and integrated into the design of the building form, roof and façade. Design solutions do not require external scaffolding for maintenance access. Manually operated systems such as blinds, sunshades and curtains are used in preference to mechanical systems Centralised maintenance, services and storage should be provided for communal open space areas within the building	This is noted and the development can be compliant.
4X-3	**Objective**: Material selection reduces ongoing maintenance costs	Compliant
	Design guidance A number of the following design solutions are used: sensors to control artificial lighting in common circulation and spaces. Natural materials that weather well and improve with time such as face brickwork. Easily cleaned surfaces that are graffiti resistant robust and durable materials and finishes are used in locations which receive heavy wear and tear, such as common circulation areas and lift interiors	Face brickwork is proposed for this development.

4.2.2 State Environmental Planning Policy (Building Sustainability Index: BASIX)

Schedule 1 of the Environmental Planning and Assessment Regulation (2000) sets out the requirement for a BASIX certificate to accompany any BASIX affected building, being any building that contains one or more dwellings, but does not include a hotel or motel. A BASIX Certificate and associated Assessor certificate and stamped plans accompanies this application.

5. Maitland Local Environmental Plan (LEP) 2011

Part 2 Permitted or Prohibited Development

Land Use Table

The site is Zoned MU1 Mixed Use under the provisions of LEP 2011, refer to **Figure 3**.

Figure 4 – Zoning Map Extract (Source: ePlanning Spatial Viewer)

Zone MU1 Mixed use Zone

1 Objectives of zone

- To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.

2 Permitted without consent

Home Industries

3 Permitted with consent

Amusement centres; Attached dwellings; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Home-based child care; Hostels; Information and education facilities; Light industries; Local distribution premises; Medical centres; Multi dwelling housing; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Recreation facilities (major); Residential accommodation; Resource recovery facilities; Rural industries; Sewerage systems; Sex services premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies

Clause 4.3 Height of Buildings

The subject site does not have specified building height limit under the LEP.

Clause 4.4 Floor Space Ratio

The subject site does not have a specified FSR under the LEP.

Clause 4.6 Exceptions to Development standards

There are no variations proposed to any development standards sought in conjunction with the proposal.

Clause 5.10 Heritage Conservation

The subject site is located within a heritage conservation area and does not contain any listed heritage items. A Statement of Heritage Impact accompanies this application.

6. Maitland Development Control Plan (DCP) 2011

Maitland DCP 2011 Chapters relevant to the site and proposed development are:

- B.2 Domestic Stormwater
- B.3 Hunter River Floodplain
- B.5 Tree and Vegetation Management
- B.6 Waste Management
- C.1 Accessible Living
- C.4 Heritage Conservation
- C.8 Residential Design
- C.11 Vehicular Access and Car Parking
- C.12 Crime Prevention Through Environmental Design

Clause	Requirements	Compliance
B.2 Domestic Stormwater		
1 Retention Capacity	For each new dwelling development, the storm water retention capacity is to be in accordance with the BASIX requirements in regard to the designated roof area to be employed for catchment. This means the required roof area catchment shall be adequately served by sufficient downpipes directing flows to the tank and equally sufficient discharge via overflow lines.	Stormwater plans have been provided by Eclipse Consulting Engineers that demonstrate 2 x 7000L rainwater/OSD tanks. The rainwater storage volume is 5000L. This has adequately serviced the roof catchment area.
2 Location of feed lines	All feed storm water lines shall be of 100mm sewer grade PVC. The PVC pipes and components shall be handled and joined in accordance with AS/NZS 2032:2006. Storm water lines shall be located away from the foundation/s of the building/s. Storm water lines shall have a minimum of 300mm ground cover. The configuration of the charged stormwater line to rainwater tanks shall be such that the initial flow into the line is directed to the lowest flush point, (refer figs 1& 3). Charged stormwater lines shall be laid so that a flush point is provided at finished ground level at the lowest point of the charged line. This flush point is required in addition to any	Stormwater plans have been provided by Eclipse Consulting Engineers that demonstrate the location and type of feed lines.

	first flush provided in the lines directed to the tank. The purpose of the flush point is to enable simple access to the charged line by the property owner to facilitate periodic draining of the charged line so as to avoid accumulative contamination of the charged line/s. Ideally the flush point should be located where discharge can disperse onto grassed area, gardens or rubble pit. The flush point is to be provided with permanent signage to indicate the purpose of the flush point (refer fig 1).	
3 Rainwater tanks	On-site rainwater tanks shall be constructed of an approved material. Preference should orientate toward lighter colours for the exterior of the tank where the tank is located above ground. All exposed PVC stormwater lines shall be painted with a U.V resistant paint. The tank shall be located so as not to compromise fire separation of buildings or access to the exterior of buildings. Sub surface detention systems are not acceptable as a method of rainwater storage for the purpose of non-potable domestic use. This means on site storm water detention systems are not to be used for the purpose of BASIX compliance unless the installation of the underground detention is specifically designed as on-site detention and subsequently approved by Council. Above ground tank installation should be the preferred method of rainwater storage and shall be provided with an adequate reinforced concrete slab for support or a base in accordance with the tank manufacturer's recommendation. Piering below the slab may be required and will depend upon site conditions. The tank manufacturer's recommendations are to be followed where a substrate material is required between the underside of the tank and the concrete slab. Bases for	The proposed rainwater tanks are proposed of an approved material, and the installation guidelines will be followed.

	supporting tanks shall provide adequate provision to disperse water away from the building and avoid accumulated moisture build up around the tank area. Underground tank installation is not acceptable where sufficient fall from the tank overflow to the street or inter-allotment drainage (IAD) infrastructure is not achievable. The minimum gradient (fall) from the tank overflow to the discharge point shall be 1:100 measured at the invert at the (underground) tank overflow and the invert of the discharge point. The overflow from (above ground) tanks shall achieve the same fall of 1:100. Where overflow lines serve underground tanks, backflow prevention devices are to be provided within the overflow line to deny the re- entry of flood water and vermin. (Refer fig 7).	
4 Configuration of stormwater lines	Stormwater lines shall be laid in a configuration that directs the initial flow to the lowest discharge point. All lines shall be laid with fall to the lowest (flush) point. Stormwater lines laid that are not level or with fall to the flush point will not be acceptable (refer fig 5). The overflow line should be of sufficient capacity to permit discharge without overflow from the tank itself occurring. Stormwater management plans shall be prepared by the applicant to be lodged with the Development Application. The stormwater management plan shall consist of the following: (i) RL's of the kerb, tank location and flush point. (ii) A site plan depicting the proposed location of the stormwater lines, the location of the flush point and the proposed location of the rainwater tank. The rainwater tank will be clearly marked as in-ground, above ground, or erected on a tank stand. The tank location should also indicate the proposed location of the weather-	Compliant, Stormwater plans accompany this application, by Eclipse Consulting Engineers.

	proof GPO (general power outlet) and pump.	
5 Stormwater lines over councils nature strip	Stormwater lines laid across the Council nature strip shall be 100mm sewer grade PVC and achieve 300mm cover where possible. Where the line approaches the kerb, a 15o fitting shall be provided to enable the line to maintain the required coverage and angle up towards the kerb outlet fitting. The kerb outlet fitting shall be a pre-cast alloy or aluminum fitting with the rear (footpath side) of the fitting adequately concreted around the connection. (Refer fig 6). The kerb fitting should be either cut as low into the kerb as possible to provide maximum concrete cover, or neatly flush with the top of the kerb with no concrete cover.	Compliant, Stormwater plans accompany this application, by Eclipse Consulting Engineers.
6 Stormwater generated from hardstand areas	Stormwater that is generated from overland flow and hardstand areas such as driveways, shall be directed to the tank overflow line to discharge to the street, rubble drain or IAD pit as applicable. This stormwater drainage is acceptable in 90mm PVC but must not inter-connect with any line directed to the rainwater storage. This means that any overland flows intercepted by grates, spoon drains and the like must discharge directly through overflow lines and not be permitted to enter the tank storage. It is recommended that this line be independent of all stormwater lines interconnected to the tank feed/discharge.	Compliant, Stormwater plans accompany this application, by Eclipse Consulting Engineers.
7 Mosquitoes	Adequate provision shall be made to ensure all stored rainwater in charge lines and the tank/s is protected from mosquito infestation and subsequent breeding.	Compliant, Stormwater plans accompany this application, by Eclipse Consulting Engineers.
B.3 Hunter River Floodplain		
2. Flood hazards, costs, and risk to life	1. An application for development below the FPL must demonstrate: a. the proposed development will not increase the flood hazard or flood damage or adversely increase flood affectation on other	A Flood impact assessment accompanies this application, Eclipse Consulting Engineers.

	properties, as assessed by a suitably qualified hydraulic engineer; b. the design of the proposed development is such that the risks of structural failure or damage in the event of flooding (including damage to other property) up to the FPL would be minimal, as assessed by a suitably qualified structural engineer; c. the proposed development has been designed to withstand the effects of inundation of floodwaters up to the FPL, with contents or fittings susceptible to flood damage being located above this level; d. if levees are proposed to protect a development, the impact of the levees on flood behaviour must be assessed and the habitable floor level of the proposed development behind the levee must still be set at or above the FPL (assuming no levee is in place); e. the proposed measures to allow the timely, orderly and safe evacuation of people from the site (these measures should be permanent and maintenance free), and the measures proposed to safeguard goods, material, plant and equipment in a flood. These measures should be compatible with the SES' Maitland City Local Flood Plan (including vol 1 The Maitland City Flood Emergency Sub Plan); i. in rural areas, the proposals for the evacuation of any livestock in a flood; ii. the measures to reduce the risks that the development will allow the accumulation and build-up of debris being carried by floodwaters (particularly associated with fences in flood liable areas);	

	iii. the design complies with the Table 1: Flood Aware Design Requirements for Residential Development on Flood Prone Land (in this DCP section); and iv. Details of any proposed filling to be provided. 2. Survey plans shall be dimensioned in metres with levels to Australian Height Datum (AHD), prepared and signed by a Registered Surveyor. 3. The type and extent of survey information likely to be required to support a development in a flood liable area is as follows: a. the location of the site relative to other features such as roads, bridges, etc; b. the assessed flood levels at the site (for the 1:100 ARI as a minimum and PMF where critical infrastructure is proposed), the origin of that level and how it was derived; c. the position of existing buildings (if any) and proposed buildings and works on the site; d. the existing and proposed floor levels of buildings on the site; e. the existing ground levels around all existing buildings on the site, or if the site is vacant, ground levels on the site and on adjacent properties within approximately 30 metres of the boundary of the site; f. the locations should be shown of any structure of the Hunter Flood Mitigation Scheme (such as levee banks, spillways, floodgates etc.), which are inside or within 100 metres of the subject property site; and g. the position and floor and ground levels of buildings on adjacent	

	properties, and the use of the properties within 100 metres of the subject site.	
2.2 Development in Floodway	1. No building or structure is to be erected on land identified as floodway on the Hydraulic Category Maps. 2. No fill is permitted on land identified as floodway on the Hydraulic Category Maps. 3. Minor alterations to ground levels associated with surface treatments, below ground structures, or minor landscaping are permitted provided they do not alter the flow distribution or flood behavior within the floodway. 4. New development shall be designed to avoid fences in floodways. 5. Where dividing fences across floodways are unavoidable, they are to be constructed only of open type fencing that does not restrict the flow of flood waters. The fencing design should be resistant to blockage or designed to be collapsible under heavy flood loadings. 6. Flood mitigation works are permitted with consent subject to Council being satisfied that the works meet the objectives of this DCP and the Flood Risk Management Plan. Note: Flood mitigation works are permitted without consent under the State Environmental Planning Policy (Transport and Infrastructure) 2021 if they are carried out by or on behalf of a public authority. 7. Development within the vicinity of Hunter Valley Flood Mitigation Scheme structures (including levees, floodgates, spillways and drains) operated by the NSW Office of Environment and Heritage are referred to that agency for	A Flood impact assessment accompanies this application, Eclipse Consulting Engineers.

	concurrence in accordance with the Water Management Act 2000.	
2.3 Filling of flood storage and flood fringe areas	1. An application for filling within the flood storage or flood fringe areas must be supported by a fully dynamic computer flood model unless: a. There is no net importation of fill within the 1:100 ARI flood extent; or b. Filling up to 7,000m3 or 20% of the total 1:100 ARI flood storage/flood fringe volume of the lot (whichever fill volume is lower) that; i. is associated with construction of a dwelling in rural zones, and ii. where construction of a dwelling is permitted; and iii. all of other flood requirements (such as evacuation) is achieved; and/or c. Filling up to 3,500m3 or 10% of the total 1:100 ARI flood storage/flood fringe volume of the lot (whichever fill volume is lower) associated with construction of a mound to provide refuge for stock during floods.	A Flood impact assessment accompanies this application, Eclipse Consulting Engineers.
2.3 General Building Requirements	1. All habitable finished floors shall be no lower than the FPL. 2. Parts of buildings and structures at or below the FPL shall be constructed in accordance with Table 1: Flood Aware Design Requirements for Residential Development on Flood Prone Land. The development shall be certified by a qualified Structural Engineer that the building has been designed to withstand the depth of inundation, buoyancy and flow velocity forces (including potential for debris impact) at the	A Flood impact assessment accompanies this application, Eclipse Consulting Engineers.

	development site for a 1:100 ARI event. 3. Flood-free access shall be provided from the development to an appropriate evacuation facility (as identified in the Maitland Local Flood Plan), at the 1:20 ARI flood level or higher. 4. Provision shall be made for the safe evacuation of people from the development in accordance with the Maitland Local Flood Plan. 5. Sufficient storage space for household effects shall be provided above the FPL. 6. Electrical fixtures such as light fittings and switches shall be sited above the FPL unless they are on a separate circuit (with earth leakage protection) to the rest of the building. 7. Requirements 1, 3, 4 and 6 do not apply to the following development: • The extension of an existing dwelling house by no more than 50% of its internal floor area, • An addition to an existing dwelling house with an area of no more than 50% of the internal floor area of that dwelling to be used for the purpose of a dual occupancy. • Tourist and visitor accommodation.	
2.4 Multi Storey Residential Development	1. Development for a multi-storey residential building shall be designed and constructed in accordance with the requirements of Table 1: Flood Aware Design Requirements for Residential Development on Flood Prone Land.	A Flood impact assessment accompanies this application, Eclipse Consulting Engineers.
2.5 Basement Bark parking	1. Basement garages will generally only be supported where all	N/A

	potential water entry points are at or above the 1:100 ARI. 2. Where this cannot be achieved the following requirements are to be met: a. The basement should be designed so that the structural integrity of the building is not compromised if the basement is either partially or fully inundated during a flood. Note: A tanked (watertight) basement may not be appropriate due to buoyancy during flood inundation. It may be necessary to allow the basement to fill with water during a flood b. All exit points below the FPL must be able to be closed and locked to prevent access during floods. c. A steel mesh gate should be used for the vehicle entry/exit points to allow the in-flow of floodwaters. d. All services (electricity, water, fire, air conditioning etc.) must be designed to prevent damage up to the FPL. e. At least one stair well from the basement should extend to at least the FPL. This exit should have a lockable entry but be able to be opened from the basement side (as with a fire door). f. The owner(s) of the building should consult with the SES to determine the most appropriate mechanisms for evacuation/ management of the basement car park where the projected flood level would result in its inundation.	
2.6 additions and renovations	1. All applications for renovations and additions are encouraged to comply with the General building requirements.	N/A

	2. In deciding whether to support an application for additions and/or renovations of the existing floor area below the FPL, Council will consider whether the renovations, additions and alterations are likely to significantly add to the life span of the residential building and its exposure to future flood impacts. 3. Proposals for additions and renovations will be required to comply with the General building requirements in the following circumstances: a. following a flood event where there has been inundation of the dwelling necessitating the removal and replacement of external and/or internal cladding material; or b. following a flood event where there has been structural compromise to the dwelling which requires remediation; or c. there is a proposal to increase the enclosed habitable floor space of the dwelling by more than 50%; or d. there is a proposal to undertake major renovations to the dwelling (e.g. Re- piering, exterior re-cladding, internal re-lining); or e. the proposed works have the potential to impact on flood behavior.	
2.7 House Raising and Flood proofing	1. The development will require assessment against the residential design provisions in this DCP. 2. In assessing an application for house raising or flood proofing, Council will consider the impacts of the works on the streetscape. 3. In heritage conservation areas the proposal must address the relevant provisions relating to heritage conservation.	This has been addressed throughout this application.

2.8 Critical Infrastructure and facilities	1. The following developments are unlikely to be supported on land below the PMF: a. hospitals and ancillary services b. regional communication centres c. State Emergency Services stations d. sewage plants e. electricity plants or substations unless the plant is designed for controlled failure or shut-off when flooding occurs f. installations containing control equipment for critical infrastructure; and g. operational centres for flood emergency response.	A Flood impact assessment accompanies this application, Eclipse Consulting Engineers.
2.9 Mitigating Circumstances	1. Council may consent to a development where: a. The land use is permitted in the zone; and b. Full compliance with the flood-related development controls is impossible or unreasonable. Note: Examples of circumstances where an alternative merits-based assessment may be considered include: Rural Dwellings where: a. An owner is required to live on-site in order to manage an agricultural enterprise and b. The dwelling is located on the landholding on which the major operational part of the enterprise is located; and c. A dwelling is permitted on the land 2. Any application will be subject to a comprehensive merits-based assessment against the objectives	A Flood impact assessment accompanies this application, Eclipse Consulting Engineers.

	of the DCP and Clause 7.3 of the LEP. 3. Any application under this clause must be supported by detailed justification including any relevant studies.	
B5 Tree and Vegetation Management		
	The amenity of the area is maintained through the preservation of trees and other vegetation.	An Arborist report accompanies this application and outlines that 5 trees are to be removed. All trees to be removed are noted as low retention value and as such can be replaced within the short term. This is demonstrated in the proposed landscaping plan, that has proposed trees of a similar size and amount. All trees on neighbouring properties are to be retained and tree protection fencing is to be provided during construction.
	Habitat and corridor function is maintained.	n/a
	Trees are managed to minimise risk to person and property.	Compliant.
B6 Site Waste Minimisation and Management		
		A Waste management plan accompanies this application.
C1 Accessible Living		
Access report		An access report accompanies this application.
Enhanced requirements		N/A
Car parking		N/A
Car park design	a. If car parking is provided in a garage or parking station, there should be sufficient ceiling height to allow use of a hoist i.e. 2500 mm. (See AS 1428.2 clause 14.2).	There is sufficient room for a hoist if required in the ground floor parking area. Additionally, two accessible car parking spaces

	b. The placement of the designated parking bay/s needs to be as close as possible to the accessible entrance. c. Where parking bays are within buildings the designated bay/s should be located close to the elevators.	have been provided near the access way and lift provided.
Pathways	a. Pathways refer to any external pathway or footpath which provides access to the entrance of a home or building. b. Pathways should provide a comfortable grade no steeper than 1 in 14. Ramps and pathways should have a slip-resistant surface with a texture that is traversable by a wheelchair. c. Pathways should be provided with landings except when the pathway grade is flatter than 1 in 33. d. Landings should be located at appropriate intervals and the grade of the pathway between landings should always remain constant. e. Where at least one side of a pathway is bounded by a kerb with the handrail, or a wall with a handrail, the landing intervals can be set further apart. f. Where no kerb and handrail, or wall and handrail is provided, the ground which adjoins the side of the pathway should follow the grade of the pathway and extend horizontally for 600 mm.	All pathways provided are of a suitable grade, allowing wheelchair access. All additional accessible information has been addressed in the access report and can be conditioned to CC stage.
Ramps		N/A
Intersection details and kerb ramps		N/A
Kerb ramp design		N/A

Handrails		See access report
Stairways		See access report
Entrances		See access report
Doorways		See access report
Signs and symbols		See access report
Planning a bathroom		See access report
Planning a kitchen		See access report
C.4.4 General Requirements for New Buildings in Historic Areas		
4.1 Siting a New Building	a. New development should have regard to the established patterns of the locality with regard to the typical location and orientation of buildings on an allotment. b. The siting of a new residential building allowing for a generously sized front garden will usually assist in its successful integration. c. New development should be sited behind the building line of any adjoining heritage item.	As noted by Stephen Booker in the Statement of Heritage Impact, 'The surrounding area has two single storey community buildings in close proximity. There are expansive areas of carparking framed by commercial multi-storey buildings and educational buildings which define the precinct.' There is a generously sized garden space at the front of the development. There are no adjoining heritage item to the site, hence this item is not applicable and additionally, the setback is similar to that of the existing dwelling onsite.
4.2 Scale	a. The scale of a new house should be related to the size of the allotments laid out in the historical subdivision pattern of the area. This does not apply to consolidated lots. New buildings should be in scale of surrounding dwellings. Large houses on small allotments will tend to look awkward and dominate the surrounding area. b. Large houses may be better located on large allotments in less sensitive areas.	Stephen Booker has noted the following, 'The building is well articulated in its plan form and elevations and responds in its height and mass to the buildings that define the perimeter of the immediate area. The roof is a low-pitched hipped roof which is of low visual impact when viewed from the surrounding areas and sits with the 14 metre height limit. The immediately surrounding buildings are contemporary

	c. New houses should generally remain at single storey in areas where the majority of buildings are single storey. d. Landmark buildings in Conservation Areas which may be heritage items, mansions or public buildings will generally be surrounded by single story buildings, or those of a lesser scale. These landmark buildings should not be used as a precedent for increasing the scale of new buildings. New buildings should relate to the scale of existing development around the landmark and respect its prominence.	interventions and community buildings. The residences in Fry Street to the south are consistent in character, scale and form. The proposed building will be visible from Fry Street and does obscure the view of the Town Hall Tower from the Polish Club car park exit into Fry Street. The height of the proposed buildings is within the 14 metre height limit defined within the DCP for buildings within the MU1 zone of the Central Maitland Business district. The subject site has a minimal slope south wards from the Grant Street frontage. Four of the five residences in Fry Street have been elevated to floodproof them. The proposed building is well proportioned with articulated wall planes and elevational treatments. The proposed building is proportional in size to the large allotment and the development archetype emerging in the locale. The proposed development departs from the single occupancy residential development that exists to the south and east of the block defined by High, Devonshire, Grant and Albert Streets which is characterized by carparking, allied landscaping and multi-storey buildings; the Catholic School is the principal heritage item in close proximity. The distinctive character of these buildings remains intact and unobscured by the proposal and a focus of the precinct.'
4.3 Proportions	a. Openings in visible frontages should retain a similar ratio of solid to void as to that established by the original older buildings. b. New buildings should incorporate the typical proportions of surrounding development, even when using modern materials.	The proposed development complies with these requirements.

	c. New buildings should establish a neighbourly connection with nearby buildings by way of reference to important design elements such as verandahs, chimneys or patterns of openings.	
4.4 Setbacks	a. Where there is a uniform historically based setback, it is generally advisable to maintain this setback in a new building. Where the new building will be obtrusive it should be set well back and heavily screened. b. If the setback varies, the new building should not be set closer to the street than an adjoining historic building (even if it is not an identified heritage item). c. Setback from side boundaries should be consistent with typical buildings in the immediate vicinity.	The proposed development complies with the requirements listed as it maintains the existing front setbacks of the existing house.
4.5 Form and Massing	a. New buildings should be designed in sympathy with the predominant form and massing characteristics of the area. b. Houses generally had ridges of the same height. It is therefore important in new buildings to ensure that the width of wings can maintain a consistent ridge and roof height.	The predominant form is divergent from the residential areas of the HCA. The proposal responds to this unique character taking credence from the Maitland Council Administration building.
4.6 Landscaping	a. Generous green landscaped areas should be provided in the front of new residential buildings wherever possible. This will almost always assist in maintaining the character of the streets and Conservation Areas. b. New landscaping should not interfere with the appreciation of significant building aspects such as shopfronts or contributory building facades. c. Important contributory landscape characteristics such as canopy cover or boundary plantings should be retained in new development.	The landscaping plan provided demonstrates compliance with the requirements of this clause.
4.7 Detailing	a. Avoid fake or synthetic materials and detailing. These tend to give an impression of superficial historic detail.	The proposed development complies with the requirements of this clause, with the materials being utilized sympathize with the surround

	b. Avoid slavishly following past styles in new development. Simple, sympathetic but contemporary detailing is more appropriate. Original materials and details on older buildings need not be copied, but can be used as a reference point.	heritage buildings whilst maintaining a contemporary feel.
4.8 Building Elements & Materials	4.8.1. Doors and windows a. New doors and windows should proportionally relate to typical openings in the locality. b. Simply detailed four panel doors or those with recessed panels are generally appropriate. c. Mock paneling, applied moldings and bright varnished finishes should be avoided. d. Older houses have windows which are of vertical orientation and this approach should be used in new buildings. e. Standard windows often come in modules of 900mm wide. Their use should be limited to single or double format only. The most suitable windows are generally double hung, casement, awning or fixed type. f. If a large area of glass is required, vertical mullions should be used to suggest vertical orientation. A large window could also be set out from the wall to form a simple square bay window making it a contributory design element rather than a void. g. Colored glazing, imitation glazing bars and arched tops are not encouraged. 4.8.2 Roofs a. Corrugated galvanized iron (or zincalume finish) is the most appropriate roofing material for new buildings in historic areas. Itis also economical and durable. Pre finished iron in grey or other shades in some circumstances may also be suitable. b. Tiles may be appropriate in areas with buildings dating to the 1900's - 1930's.	The development has used masonry, CFC cladding and steel roof which is consistent with the prevailing materiality. Windows and doors are broken up into a common module of mullions in each of the stepped faces of the building. The architectural plans provided demonstrate compliance with these requirements, and the design itself was guided by Heritage Consultant, Stephen Booker.

	Unglazed terracotta tiles are the most appropriate. The colour and glazing of many terra cotta tiles make them inappropriate. c. Other materials to avoid include modern profile steel deck. d. Ogee profile guttering is preferable to modern quad profile. Plastic downpipes should be avoided in prominent positions. 4.8.3 Paving a. Preferred materials for driveways include wheel strips and gravel. b. It is important that the amount of hard driveway material does not dominate the front garden area. 4.8.4 Walls a. Imitation Cladding Cladding materials which set out to imitate materials such as brick, stone, and weatherboard should be avoided as they tend to detract from the authentic character of the surrounding original buildings. b. Weatherboard 150mm weatherboards are generally appropriate for historic areas. They should be square edged profile unless the surrounding buildings are post 1920's. c. Brick i. Plain, non-mottled bricks are preferable with naturally colored mortar struck flush with the brickwork, not deeply raked. ii. Bricks of mixed colours (mottled) should be avoided, as should textured 'sandstock' bricks.	
5. General Requirements for New Commercial Buildings in Historic Areas		
5.1 Building Heights and setbacks	The height of buildings should reinforce the desired scale and character of the area. Maximum building heights have been set out in Part E.3, 'Heritage Conservation Areas'.	The proposal complies while presenting as an identifiable contemporary form and arrangement. The scale of the building is in line with the surrounding Catholic High School heritage buildings.
5.2 Services	Service structures, and plant and equipment within a site should be an integral part of the development and	The development complies with these requirements.

	should be suitably screened buildings and should not be built out.	
5.3 Onsite loading and unloading	Facilities for the loading and unloading of service vehicles should be suitably screened from public view.	A loading zone is not required, as waste will be collected from the kerb.
5.4 Design of car park areas	Car parking areas should be located and designed to: a. provide landscaping where practicable to shade parked vehicles and screen them from public view. b. provide for access off minor streets, and for the screening from public view of such car parking areas from surrounding public spaces and areas.	The development complies with these requirements.
5.5 Car parking Structures	a. incorporate a façade designed to complement adjoining buildings in an urban context. b. be setback from the street frontage and out of view if possible.	The development complies with these requirements.
5.6 Roof form, parapet and silhouettes	a. In Commercial areas, it is the consistency of parapets which make a significant contribution to the architectural character of an area. b. Where the prevailing pattern of roof forms assists in establishing the character of a townscape, new roof forms should seek to be compatible with the shape, pitch, and materials of adjacent buildings. c. Parapet heights and articulation should be compatible with earlier surrounding buildings. d. Lightweight materials such as ribbed colored metals should not be used on vertical wall or parapet surfaces. e. New verandahs should be based on design principles of traditional verandahs with sloping roofs galvanized iron and regularly spaced columns.	The development complies with these requirements.
6. New Development in the vicinity of Heritage items		
General	a. Development in the vicinity of listed heritage items should respect and complement the built form character of those items in terms of scale, setback, siting, external materials, finishes and colour.	The development complies with these requirements.

	b. New development should have regard to the established siting patterns of the locality. c. New development should generally be set back from the building line of the adjoining or adjacent heritage item. d. The sensitive selection of materials, colours and finishes is important in terms of achieving compatibility with the heritage items. e. Height and scale of new buildings should not obscure or dominate an adjoining or adjacent heritage item. f. Development in the vicinity of a heritage item may be contemporary in design.	
C.8 Residential Design		
Application	This chapter applies to the whole of the Maitland Local Government Area where Residential development is permitted. The chapter provides guidelines for the development of the following forms of housing (and ancillary structures such as garages, sheds, carports and outbuildings): • Single detached dwelling house • Secondary dwellings • Dual occupancy housing (attached or detached) • Semi-detached dwellings • Multi dwelling housing (attached or detached) • Residential Flat Building **(other than buildings to which State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development applies)** • Senior Living Accommodation (to the extent of providing guidelines which supplement the standards prescribed under State Environmental Planning Policy (Housing) 2021)	Whilst it is noted that Residential Flat Buildings assessed under SEPP 65 do not have to be assessed under the residential chapters of the DCP, an assessment is provided below.
2. Site Analysis and site context	Numerous Controls	A site analysis plan has been provided and site context has been addressed in the architectural plans provided.
3. Development Incorporating		N/A

Existing Dwelling		
4. Bulk Earthwork and retaining walls	Numerous Controls	A bulk earthworks plan has been provided.
5. Street Building Setbacks	Numerous Controls	The dwellings have a front setback of 6m, which is compliant.
6 Side and rear setbacks	Numerous controls	The rear setbacks provided comply with the requirements of the DCP.
7 Site coverage and unbuilt areas	Numerous Controls	The proposed residential flat does not cover more than 70% of the site, with 34% of the total area being made up of landscaped area.
Building Height, Bulk and Scale	Numerous Controls	The plans provided demonstrate the scale of the building, with elevations and 3Ds generated with neighbouring properties. The Pre DA minutes note that the height limit for this site is 11m. Based on Table 4, Maximum Building Heights, the site is zoned MU1 and therefore a 14m height limit applies, to which this development complies. The bulk and scale of the building has been justified in terms of heritage concerns, as demonstrated in the Statement of Heritage Impact provided.
9. External Appearance	Numerous Controls	The external appearance has been carefully curated to address concerns of heritage conservation area, the architect has noted the following, The design principles of good proportions and a balanced composition have been achieved in the proposal. The massing meets the scale and form of buildings in the precinct such as the new Maitland Council Administration building. The two colours of brick relate to the forms of the proposal. Openings relate to the function of the rooms and the balconies are within the mass but have openings related to the function of outdoor living.

		The residential development will form part of the expanding residential stock in the Maitland town Centre and is scales to respect the general building heights of the buildings to the north if the site along High Street. Elements of this composition of materials are replicated in buildings such as the Maitland Post Office, Maitland Mercury Newspaper And Print Co. Budling and the Metropolitan Hotel.
10. Open Space	Numerous Controls	Open space has been provided to each unit, in accordance with the requirements of SEPP 65, and additionally external communal outdoor space has also been demonstrated on the plans.
11. Sites having a boundary to a laneway		N/A
12. Accessible and adaptable housing	Numerous Controls	3 Silver level units have been provided and an access report has been provided outlining the compliance with the relevant Australian Standards.
13. Landscape design	Numerous Controls	A landscape plan has been provided, that demonstrates the objectives of the Maitland DCP.
14. Fencing and Walls	Numerous Controls	The fencing proposed is compliant with these controls.
15. Driveway Access and Car parking	Numerous Controls	The driveway provided complies with the objectives set out in the Maitland DCP and this has been demonstrated in the traffic report provided.
16. Views, and Visual and acoustic Privacy	Numerous Controls	The proposed development has been with privacy and overall amenity in mind, and as such complies with the requirements outlined.
17. Water and Energy Conversation	Numerous Controls	The BASIX and Nathers certificates provided demonstrate compliance with the water and energy conservation controls provided. Any further information on this can be

		conditioned as a part of the DA consent.
18. Stormwater Management	Numerous Controls	Stormwater management has been addressed in the Stormwater Drainage plans provided.
19. Security, site facilities and services	Numerous Controls	The operation of the site will ensure that security is prioritized and can comply with all requirements listed in the DCP. A CPTED accompanies this application that demonstrates further detail regarding this.
C.11 Vehicular access and car parking		
	Numerous Controls	19 car parks provided.
C.12 CPTED		
General Requirements	Numerous Controls	CPTED report accompanies this application

7. ASSESSMENT OF PLANNING ISSUES

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this SEE.

Traffic, Access and Parking

A Traffic and Parking Impact Assessment (TIA) has been undertaken by Seca Solutions for the proposed development. The report examines the traffic implications of the proposed development including the predicted traffic generation and its impact on existing road and intersection capacities (both now and in the future). The report also reviews parking requirements, access provisions and public transport, including assessment against Council, Australian Standards and the TfNSW requirements as required. It has noted the following,

'From the site work undertaken and the review of the development proposal and associated plans against the requirements of the Guide to Traffic Generating Developments published by Transport for NSW and the Maitland Development Control Plan 2011, it is considered that the proposed development should have no objections raised on traffic and access grounds.
Access to the site can be provided in accordance with Australian Standards with sight distances able to satisfy the minimum requirements
The local roads and intersections operate well within their capacity and can easily support the minimal increase in demands generated by this development.

On-site parking per the DCP can enable parking demands to be contained on site.'

Traffic

Access and Internal Circulation

Vehicular access to the site is proposed from the driveway on Grant Street. Egress will be provided from the same location. The car parking layout has been assessed to achieve the relevant clauses and objectives of *AS2890.1:2004, AS2890.2:2018 and AS2890.6:2022.*

Parking

The parking area has been assessed against the relevant sections of *AS2890.1:2004, AS2890.2:2018, and AS2890.6:2022* and is found to satisfy the objectives of each standard.

The proposal includes the provision of a total of 19 car parking spaces (including 2 accessible space).

Building Access

Access to the building will be compliant with the relevant legislation and criteria including the Building Code of Australia (BCA) and the Disability Discrimination Act 1992 and AS1428 – Design for Access and Mobility to ensure that adequate pedestrian and disabled access is provided for the development. An Access report has been provided, which demonstrates compliance.

Visual Impact

The proposed works are considered to have a positively impact upon the visual amenity and built character of the area given:

• The nature of the development is suitable for its location

• The proposed built form comprises of a high-quality building, achieving orderly and coordinated site presentation.

• The building incorporates high quality materials and finishes and complimentary colour schemes.

• On-site landscaping works and plantings will make a positive visual contribution to the area and enhance the overall amenity of the site.

Flooding

The flood levels have been incorporated into the design of the development, as noted in the Flood Impact Assessment provided by Eclipse Consulting Engineers. The height of habitable rooms sits above the required FFL. The report outlines the following,

‘The proposed development proposes construction of a ground floor carpark close to existing surface levels, which will permit the flow of flood waters with minimal disturbance. The lowest habitable floor level is proposed to be 10.38m AHD, 150 mm clear of the flood planning level of 10.23m AHD.

The proposed structure will require certification from a structural engineer at construction stage that the structural design will withstand loading associated with floodwaters reaching the Flood Planning Level, including consideration for hydrostatic, hydrodynamic, and debris/impact loading. It is expected that the proposed development will not have any issues in being constructed from flood-proof and flood-resistant materials, and that electrical circuits will be able to be located above the flood planning level or on dedicated circuits with earth leakage protection. The development of a flood emergency response plan will be required at construction stage to ensure evacuation measured are in place for occupants of the proposed development.’

The residential flat building has been designed to comply with the flood requirements of Maitland Council.

Landscaping

Extensive landscaping is proposed to complement the built form and hard stand areas of the development including new trees, shrubs, low hardy plants, and groundcovers focused around the sites perimeters.
The proposed landscaping has been prepared in accordance with relevant Council requirements as well as having regard for the practicality of ongoing management.
Tree and shrub species, sizing & locations have been chosen to ensure that passive surveillance is maintained at buildings, carpark & driveway entry with smaller groundcovers and shrubs adjacent to paths and buildings in accordance with CPTED principles.

All proposed plant species selection has been considered in terms of soil types, species hardiness and on-going watering maintenance requirements. Predominantly low water use species have been grouped in regard to watering requirements and to reduce reliance on use of potable water.

In summary, the extent of landscaping proposed will help integrate the built form and hardstand areas associated with the proposal and provide a positive contribution to the overall landscape character of the area. A detailed Landscape Plan is included with this application.

Acoustic Impact

A Noise Impact Assessment has been undertaken by Muller Acoustic Consulting, that has provided the required recommendations for construction and requirements for the operation of the residential flat units. It has noted the following,

A semi-quantitative screening test of noise intrusion from road traffic travelling on the nearby New England Highway has been completed. The findings of the screening test demonstrate that Category 2 treatments, which is consistent with 6mm monolithic glazing standard construction materials, are expected to be able to provide suitable attenuation from road traffic associated with busy roads in the area. It is understood that 6.38mm laminated glazing, which is consistent with Category 3 treatments will be installed in the development which exceeds the recommendation for Category 2 treatments.

Additionally, a rail noise screening test found the project site is located outside both Zone A and Zone B, with no additional treatments required to attenuate rail noise intrusion into the dwelling. Modelled noise emissions from construction activities identify that predicted noise emissions are above the applicable construction management levels at all assessed receivers. Therefore, noise management measures are provided in this report to reduce potential impacts on surrounding receivers.

Odour

It is not expected that the proposal will have a significant impact on surrounding premises from any potential odours associated with activities undertaken on the site, nor will odour be observed from the waste storage areas.

Lighting

Appropriate external lighting will be installed within the site, including lighting around the building and within the parking area. External lighting will contribute to the overall safety of the site and will be in accordance with *AS4282-1997 Control of the obtrusive effects of outdoor lighting* and *AS1158 Lighting for Roads and Public Spaces.*

Crime Risk

The development has been designed to and shall be managed to minimise and discourage criminal activity and ensure the safety of tenants. The proposal demonstrates the positive surveillance opportunities through large, glazed window as well as the ability to implement mitigation measures to further promote on site safety.

The proposal is consistent with Crime Prevention through Environmental Design (CPTED) principles and has regard for the 4 key strategies (surveillance, access control, territorial reinforcement and activity and space management) of crime prevention and public safety.

Waste Management

A Waste Management Plan (WMP) has been prepared for the proposed development, addressing each stage of the proposed development from demolition and construction through to the ongoing management of waste when the premise is operational.

Construction Waste

Type and quantities of construction waste are detailed in the WMP. The Erosion and Sediment Control Plan provided includes details of proposed stockpile location within the site and traffic movement to and within the site by vehicles during the excavation and construction phases. Waste during these phases shall be appropriately managed on site to minimise cross-contamination and optimise opportunities for reuse and recycling of demolished materials. Stockpiles shall be suitably contained and regularly checked.

Operational Waste

The types of waste generated during operation will be mainly, paper and cardboard, plastics, and miscellaneous waste. A bin area is located at ground level, where waste will be collected on site via private contractor on a weekly basis. Swept paths have been provided to demonstrate a medium rigid truck entering and exiting the site in a forward-facing direction.

Social and Economic Impacts

The proposal is anticipated to have an ongoing positive social and economic impact on the local area as well as the broader community.

The proposal will provide housing to the area meeting the needs of local families with minimal detrimental impacts.

Public Interest

The proposal provides an opportunity for more choice of housing in the market. The development of the site will improve the supply of housing in the Maitland region, in accordance with the regional strategies.

The proposed housing form is proposed to accommodate market demands from a particular sector of the market. Overall, the proposal provides positive social, economic, and environmental outcomes that will positively contribute to Maitland and the overall Maitland region. All environmental impacts can be sufficiently mitigated to minimise disturbance to surrounding land uses. The design has had regard to the amenity of the surrounding properties, including views. The proposal is therefore considered to be in the general interest of the public and will not conflict with the character or amenity of the surrounding region. The proposal is considered within the public interest as it will assist with housing shortage issues and housing targets because of increasing populations in the locality. In view of the above, it is considered that development of the site as proposed would create public benefit.

The proposed development is unlikely to result in any adverse social or economic effects in the locality. The proposal has been designed to respect the surrounding built form and amenity of residents.

8. CONCLUSION

The proposed residential flat for 8 Grant Street, Maitland will provide a high-quality dwelling with minimal environmental impacts.

The proposal is compliant with relevant legislative requirements and controls, in particularly compliance with the applicable requirements of LEP 2011 as well as the applicable sections of the Housing SEPP and Apartment Guidelines.

As previously mentioned,

The State Government has released The Explanation of Intended Effect: Changes to Create low and mid-rise housing in December 2023, which talks of reforms promoting medium density housing in well located areas close to existing public transport connections, amenities and employment. This site provides a perfect example, as the area has capacity to accommodate growth that capitalises on current and future investment in public infrastructure. The development is largely compliant with the requirements of State and Local planning legislation, and the SEE has detailed all the relevant matters of consideration of the proposed development under Section 4.15 of the EP&A Act 1979.

The proposed development will provide a safe, functional, and environmentally responsive development outcome for the site and locality. It is considered the proposal is worthy of Council's support and consent be granted.

Appendices

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – STORMWATER PLANS

APPENDIX C – LANDSCAPING PLANS

APPENDIX D – STATEMENT OF HERITAGE IMPACT

APPENDIX E – ACCESS REPORT

APPENDIX F- ARBORIST REPORT

APPENDIX G- ACOUSTIC REPORT

APPENDIX H- PRELIM SITE INVESTIGATION

APPENDIX I- HUNTER WATER PLAN STAMPING

APPENDIX J- COST ESTIMATE REPORT

APPENDIX K- OWNERS CONSENT

APPENDIX L- WASTE MANAGEMENT PLAN

APPENDIX M- BASIX CERTIFICATE AND NATHERS SUMMARY

APPENDIX N- FLOOD IMPACT ASSESSMENT

APPENDIX O- TRAFFIC REPORT

APPENDIX P- DESIGN CERTIFICATION

APPENDIX Q- SITE SURVEY

APPENDIX R- CPTED REPORT